



TREC Advisor

The agency exists to safeguard the public interest and protect consumers of real estate services. In accord with state and federal laws the agency oversees real estate brokerage, appraisal, inspection, home warranty and timeshare interest providers. Through education, licensing and regulation, the agency ensures the availability of qualified and ethical service providers, thereby facilitating economic growth and opportunity in Texas.

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Texas Real Estate Commission and Appraiser Board Launch New Online Services Tool

The Texas Real Estate Commission and the Texas Appraiser Licensing and Certification Board are happy to announce the launch of its updated "My License Online Services" tool. To access these new features, simply go to the website at www.trec.texas.gov or www.talcb.texas.gov and click on the yellow button at the top of the homepage.

The redesigned site contains many improvements to the original version. Now, a license holder can sign in and access all available transactions from one user-friendly menu. In addition license holders can update license information, change their address, contact agency staff and get a reprint of their license in a matter of minutes. Cumbersome security token numbers are no longer required and should be discarded. The need to attach a license to an account is no longer a separate step. The guided step-by-step process of "My Licensee Online Services" will no longer leave a user confused as to what to do next.

These improvements come after months of redesign work done in coordination with TREC and TALCB's vendor, agency staff and license holders themselves. Testing of the new site began in

October and continued for several months as major improvements were suggested. Focus groups representing all license types conducted testing and gave extensive feedback to agency staff and provided valuable insights on the program, and the agency thanks these license holders for their participation in this process.

"Tailoring key language and menus to each license type will help make it even easier for license holders to get online, get up to date, and get back to work," Administrator Douglas Oldmixon said when asked about the new online services. "The new 'My License Online Services' product is the first step of many that TREC plans to make over the next year to improve customer service, increase ease of applying for a license and enable more rapid processing of all applications and renewals."

These improvements to "My License Online Services", and all of the agency's programs of education, licensing and industry regulation ensure that real estate service providers are able to provide high quality real estate related services in Texas and to better serve the citizens of Texas. For all the latest on TREC or TALCB please visit our website often.

From the Chair...

The Commission met for its regularly scheduled meeting on February 27th in Austin. Staff updated the Commission on recent speaking engagements, technology improvements, staff changes and a new proposal in the area of home inspector examinations.

One of the most important items for license holders and the public is the Strategic Planning Listening Tour taking place in March, please see the website and this issue for the remaining sessions, and do your best to attend and bring a friend! Let us hear from you and your clients about how to improve the regulatory side of the real estate industry.

The Commission took action on another version of the HOA addendum form, which is posted for comment currently. In other action the commission created by rule an Education Curriculum Standards Committee which will be charged to "regularly review and revise curriculum standards, course content requirements and instructor certification requirements for core and MCE courses". This Committee has a tough set of tasks, but vital to our profession's strength and reputation. If you'd like to serve on this Committee, please check the qualifications, and watch the website for the times to apply. Appointments will be for 2 year terms, with up to 3 consecutive terms possible.

The Broker Responsibility class required by statute is currently being written by the Texas A&M Real Estate Research Center. For all brokers who sponsor salespersons or for any licensee who has been delegated responsibility for the oversight of the day to day activities of a

licensee, the class will become mandatory when renewing a license after September 1, 2012. Those who want to teach this 6 hour MCE class should be able to attend an instructor training session by July.



Avis Wukasch, Chair

The Association of Real Estate License Law Officials (ARELLO), a world-wide organization of regulators like the Commission members, will be holding its Spring meeting in Austin in April. Several members of the staff and Commission will be in attendance to learn about regulatory matters in other states, Canadian provinces and overseas.

Don't forget almost all the promulgated forms have changes which went into effect for mandatory use on March 1. Come visit us at our next regularly scheduled meeting on May 7 at 10 am. We'd love to see and hear from you.

Important Dates to Remember

Broker Lawyer Committee Meeting—April 19

TREC Commission Meeting—May 7

TREC Chair Avis Wukasch was named 2011 Texas REALTOR® of the Year!



Avis Wukasch, Chair

Chair Wukasch was given the award the 2012 Texas Association of REALTORS annual Winter Meeting in Austin last month. This prestigious award is given to a REALTOR member who, over the past 10 years, has made outstanding contributions to the

industry through involvement in their national, state and local REALTOR® organizations.

Chair Wukasch was appointed to the Commission in 2008 and has served as chair

of the Real Estate Commission for over a year. She currently serves as the Texas A&M Real Estate Center's Advisory Committee's ex-officio member, representing the Texas Real Estate Commission, and is owner of Keller Williams Realty in Round Rock.

Avis, a native Texan, earned a B.S. in political science from the University of Texas - Austin in 1975. She became a Texas real estate licensee in 1978. She was a broker member of the Texas Real Estate Commission Broker Lawyer Committee (serving as broker chairman in 2004 and 2005).

TREC Congratulates Chair Avis Wukasch on earning such a prestigious award!

Broker Responsibility Mandatory Continuing Education

To renew a license on active status that expires after August 31, 2012 a broker who sponsors a salesperson, a designated broker of a business entity, or a license holder who is a delegated supervisor of one or more license holders for six months or more during the course of the current license must attend the six hour broker responsibility course required by §1101.458 of the Act. The six hour course will count towards the 15 hours of MCE which are required to renew a license, and any broker who is exempt from MCE requirements is not required to take the course.

The course is currently being written and should be available for certified instructors to teach by mid-summer. If you are subject to

the new requirement, you will need to take the course to renew your license even though you may have already completed your MCE requirements for this renewal period.

Instructors wishing to teach the course will need to take a "train the trainer" course and meet other certification requirements prior to teaching the course, including having a college degree in the subject area of Real Estate, or five years of professional experience in the subject areas of Principles of Real Estate, Law of Agency, Law of Contracts, and Real Estate Brokerage and three years of experience in teaching or training.

HOW TO AVOID A PROPERTY MANAGEMENT COMPLAINT

Property management complaints and resulting disciplinary action have been on the rise lately. In FY 2011, the Commission entered 17 hearing orders against licensees regarding property management issues. In the first four months of FY 2012, the Commission has already entered 10 such orders! Many of these cases involved misappropriation, commingling or failure to properly or timely account for rents or security deposits received. Others involve negligence in the performance of property management duties. Discipline ranged from revocation with a \$60,000 penalty to a reprimand with education required. Here are some pointers to help you stay out of trouble when acting as a property manager.

- ***KNOW YOUR AUTHORITY/RESPONSIBILITY UNDER YOUR BROKER.*** A salesperson may not perform property management activity that requires a license except through that salesperson's sponsoring broker [TRELA §1101.351(c)]. Although a salesperson may own a property management firm, the business must be conducted through the salesperson's sponsoring broker. A broker is responsible for any property management activity which requires a real estate license that is conducted by the broker's sponsored salespersons. [Rule 535.2(d)] As a broker, if you do not permit your salespersons to perform property management, you must make that limitation on the scope of their authorized activities clear to them in writing. [Rule 535.2(a)]
- ***KNOW YOUR AUTHORITY/DUTIES UNDER YOUR AGREEMENT.*** The property management agreement sets out what you are authorized to do for the owner and what you are expected to do. Although the Commission does not have jurisdiction over disputes regarding contract terms, if our investigation shows that you exceeded your authorization or failed to fulfill your duties, the Commission could consider that to be a violation. For example: Did the property management agreement allow you to execute the lease on behalf of the landlord? Did you provide periodic written accountings as required by property management agreement? Did you get written permission to pay for a repair that was over the stated limit in the agreement?
- ***UNDERSTAND LANDLORD REQUIREMENTS UNDER THE PROPERTY CODE.*** Realize that under most property management agreements, the duties of and requirements placed on the landlord under the Property Code become the responsibility of the property manager. When a complaint is received, the Commission looks at the property manager's conduct to see if what the manager did or did not do hurt the property owner's interest. For example, once a tenant vacates a leased property, failure to provide a written accounting within 30 days could subject the property owner to a number of monetary penalties. The manager should also have kept documentation to prove that any deductions taken from the security deposit were reasonable. See Property Code Section 92.109. Look up Property Code Chapter 92 and get familiar with the requirements.
- ***USE A BROKER'S TRUST ACCOUNT.*** Any money received on behalf of a landlord must always be deposited in a broker's trust or

escrow account. A salesperson may not operate a trust account. A broker is prohibited from commingling these funds with the broker's own funds. [TRELA §1101.652(b)(10)] Further, paying operating expenses or making withdrawals from a broker's trust account for any purpose other than proper disbursement of money held in trust is prima facie evidence of commingling. [Rule 535.146(h)]

- **RESPOND AND REMIT TIMELY.** Please know that the Commission can take disciplinary action against you if you fail within a reasonable time to properly account for or remit money that you receive on behalf of another person. [TRELA §1101.652(b)(9) & Rule 535.146(h)]
- **KEEP GOOD RECORDS.** Not only is this required [Rule 535.2(h)], it just makes good business sense. In many cases, good documentation helps prove that the manager

did not violate TRELA or the Rules. Documents that the Commission will want to review if a property management complaint is filed against you usually include:

- ◇ Property management agreement
- ◇ Lease application form
- ◇ Executed lease
- ◇ Move-in property condition form
- ◇ Written move-out notice from tenant
- ◇ Tenant's written notice to manager of forwarding address
- ◇ Written accounting of security deposit provided by property manager
- ◇ Copies of checks

Commission Makes Changes to the ERW Fees

The Real Estate Commission approved new fees for easement and right-of-way license applications at its February 27 meeting. Please take a moment to review the changes. All new fees will be in effect April 1, 2012.

Current ERW fees are:

- ERW Individual Initial Application: \$150.00 This is for a ONE-YEAR license only. Add \$31.50 for individuals who have already been fingerprinted for TREC.
- ERW Business Initial Application: \$150.00
- ERW Renewal: This is for a TWO YEAR license. (Business & Individual): \$307.00 (includes \$4 optional Advisory fee). Add \$31.50 background check fee for applicant that already has fingerprints on file with TREC.

* if the applicant does not have fingerprints on file, they can download a fast fingerprint pass here: <http://www.trec.texas.gov/FASTPass/> and schedule an appointment with L1.

April 1 – ERW Fees will be:

- ERW Individual Initial Application: \$290.00 This is for a TWO YEAR license. (includes \$4 optional Advisory fee). Add \$31.50 background check fee for applicant that already has fingerprints on file with TREC.
- ERW Business Initial Application: \$290.00
- ERW Renewal: This is for a TWO YEAR license. (Business & Individual): \$347.00 (includes \$4 optional Advisory fee). Add \$31.50 background check fee for applicant that already has fingerprints on file with TREC.

Commission Accepting Applications for New Education Standards Committee

The Texas Real Estate Commission invites applications for appointment to the Education Curriculum Standards Committee. The purpose of the committee is to regularly review and revise curriculum standards, course content requirements and instructor certification requirements for core and MCE courses.

The committee will consist of 6 members who have been engaged in the practice of real estate for at least five years before appointment and who are actively engaged in the practice, 3 members who are real estate instructors or owners of real estate schools, and 3 public members. Public members may not hold an occupational license regulated by the Commission. Member of the committee serve two-year terms and may be reappointed for up to three consecutive terms.

While the committee may meet by teleconference, all committee meetings must comply with the Open Meetings Act. Some travel to Austin will be necessary and limited funds may be available for travel reimbursement, but members are not compensated for their time.

Individuals wishing to be considered for appointment should send a letter and resume to Chair, Avis Wukasch at the Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, by fax to 512-936-3788, or by e-mail to administrator@trec.texas.gov.



Congratulations to Employee of the Quarter Scott Milo!

Scott Milo has been a Systems Analyst at the Texas Real Estate Commission for four years. He has a bachelor's degree from Thiel College in Greenville, PA, where he majored in Mathematics and Philosophy. With over 25 years experience working in Information Technology, Scott has worked for employers such as KPMG Peat Marwick, Unisys, and Fritz Companies (which UPS later purchased and turned into their Supply Chain Solutions division). He has also published a technical article in the trade magazine Unisphere, and worked as an independent consultant for many firms, from small businesses to those with over 10,000 employees.

Scott's hard work and willingness to go above and beyond his job requirements has earned him this honor. Thank you Scott for all you do!

PROPOSED RULES

Subchapter E. Requirements for Licensure

22 TAC §535.53. Business Entities

The proposed amendments would clarify that a business entity obtaining or renewing a license or an entity changing its designated broker would need to provide proof that the new designated broker directly owns at least 10% of the business entity obtaining or renewing the license and that the new designated broker is an officer, manager, or general partner of the entity. If the new designated broker does not directly own at least 10% of the business entity, it would need to show proof that the entity maintains the appropriate errors and omissions insurance as required by the Act.

Subchapter L. Termination of Salesperson's Association with Sponsoring Broker 22 TAC §535.56. Education and Experience Requirements for a Broker License

22 TAC §535.121. Inactive License

The amendments are proposed to implement the relevant provisions of Senate Bill (SB) 747, 82nd Texas Legislature, Regular Session (2011). In relevant part, SB 747 amends Texas Occupations Code, Chapter 1101 to require licensure as a broker for any business entity as defined in Section 1.002 of the Business Organizations Code. The amendments to §535.121 clarify that the section applies to all business entities as defined under the Act.

R. Real Estate Inspectors

22 TAC §535.211. Professional Liability Insurance or Any Other Insurance that Provides Coverage for Violations of Subchapter G of Texas Occupations Code, Chapter 1102.

The proposed amendments delete the reference to a form number in the section, provide that the form to be used is approved by the commission, and authorize the commission to determine whether other documentation is acceptable as proof of insurance.

22 TAC §535.226. Sponsorship of **Apprentice [Apprentices]** Inspectors and Real Estate Inspectors.

The amendment allows 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 amendment also corrects a typo in the title of the section.

Chapter 537, Professional Agreements and Standard Contracts

22 TAC §§537.43. Standard Contract Form TREC No. 36 -~~7~~**[6]**.

TREC proposes amendments to §537.43, concerning Standard Contract Form TREC No. 36-6 Addendum for Property Subject to Mandatory Membership in a Property Owners' Association. The amendments to §537.43 adopt by reference Standard Contract Form TREC No. 36-7.

Paragraph A.1 is revised, new paragraph A.2 acknowledges recent statutory revisions which permit a buyer to obtain a resale certificate directly from a property owner's association, and paragraph A.3 (currently A.2) is unchanged. Paragraph C is revised to replace "resulting from" to "associated with" to track recent statutory changes to Chapter 207, Property Code. New paragraph E provides that the seller authorizes the association to release information such as the status of dues, special assessments, violations of covenants and restrictions, and a waiver of any right of first refusal if requested by the buyer, the title company, or any broker to the sale. Other amendments to the form change the main telephone number and website address for TREC located in the box at the bottom of the forms.

A previous draft of the form was published for notice and comment on December 30, 2011. After reviewing numerous comments from the public, licensees, and representatives from the title industry, the Broker Lawyer Committee recommended additional revisions to the form to make it clear that a title company is authorized to obtain subdivision information from a property owners association only upon receipt of payment for the information from the party obligated to pay for the information under the contract.

The amendments would increase the registration fee from \$80 for a one-year registration to \$200 for a two-year registration; and the renewal fee \$160 (\$80 per year) to \$200 for a two-year registration. The amendments would add new §535.405 to clarify that an employee of an owner or purchaser of an easement or right-of-way is not required to be registered under the Act.

Adopted Rules February 27, 2012 Meeting of the Commission

ADOPTED RULES

Subchapter B. General Provisions Relating to the Requirements of Licensure

22 TAC §535.16. Listings; Net Listings

Adopted without changes to the proposed text as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9169).

The amendment to §535.16 clarifies that a real estate licensee must provide a broker price opinion rather than opinion of market value when negotiating a listing or offering to purchase the property for the licensee's own account as a result of contact made while acting as a real estate agent. *effective date: 3/21/2012*

Subchapter E. Requirements for Licensure

22 TAC §535.53. Education and Experience Requirements for a Broker License

Adopted with changes as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9169).

The difference between the rule as proposed and as finally adopted is the deletion of subsection (j) which established an effective date of January 1, 2012. Under current §535.56, the commission has waived the education and experience required for a broker license for a broker who was licensed as a broker in the preceding two years and otherwise meets the requirements of the subsection. The rule as amended conforms subsection (h) by deleting a sentence which implies that a person previously licensed as a salesperson may become a broker under the waiver. *effective date: 3/21/2012*

Subchapter G. Mandatory Continuing Education

22 TAC §535.71, §535.72, §535.75

Adopted amendments to §535.71, concerning Approval of Providers, Courses and Instructors, and §535.72, concerning Presentation of Courses, Advertising and Records, without changes to the proposed text. TREC adopts new §535.75, concerning Education Curriculum Standards Committee, with changes to the proposed text as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9170). The difference between the rule as proposed and as finally adopted is that new §535.75(b)(3) was revised to delete "who are not accredited, approved, registered, certified, or licensed by the Texas Real Estate Commission" to provide flexibility in appointing public members to the newly created Education Curriculum Standards Committee.

The amendments are adopted in part to implement the relevant provisions of Senate Bill 747 (SB 747), 82nd Texas Legislature, Regular Session (2011). In relevant part, SB 747 amends Texas Occupations Code, §1101.458, to require a broker who sponsors a salesperson and a licensee who supervises another licensee to take a 6-hour broker responsibility course to renew a license.

The amendments to §535.71 and §535.72 provide the method by which the commission will create and approve the broker responsibility course, which will be the same way it handles the 3-hour legal update and 3-hour ethics courses required under §1101.455, and provides conforming changes for consistency.

New §535.75 creates the Education Curriculum Standards Committee whose mission is to regularly review and revise curriculum standards,

course content requirements and instructor certification. *effective date: 3/21/2012*

Subchapter H. Recovery Fund

22 TAC §535.82. Proration of Payments from the Recovery Trust Account

Adopted without changes to the proposed text as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9173). Under Subchapter M of Chapter 1101, Occupations Code, the commission administers the Real Estate Recovery Trust Account. The new rule clarifies provisions of Subchapter M, regarding proration of claims in the event of multiple claims that exceed the payment limitations of \$50,000 per transaction and \$100,000 per licensee. *effective date: 3/21/2012*

Subchapter R. Real Estate Inspectors

22 TAC §535.221. Advertisements

Adopted without changes to the proposed text as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9174). The amendment changes the requirement that inspectors immediately notify the Commission of the inspector's use of an assumed name in the inspection business, instead allowing 30 days for such notice. *effective date: 3/21/2012*

22 TAC §535.240. Proration of Payments from the Real Estate Inspection Recovery Fund.

Adopted without changes to the proposed text as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9174). The new rule clarifies provisions of Texas Occupations Code, §1102.359, regarding proration of claims in the event of multiple claims that exceed the payment limitations of \$12,500 per transaction and \$30,000 per inspector. *effective date: 3/21/2012*

Subchapter T. Easement of Right-of-Way Agents

22 TAC §535.400, §535.403-535.405

Adopted without changes to the proposed text as published in the December 30, 2011, issue of the Texas Register (36 TexReg 9175). The amendments increase the registration fee from \$80 for a one-year registration to \$200 for a two-year registration; and the renewal fee \$160 (\$80 per year) to \$200 for a two-year registration. New §535.405 clarifies that an employee of an owner or purchaser of an easement or right-of-way is not required to be registered under the Act. *effective date: 4/01/2012*

DPS Gives You a Little Extra Spending Money

The Texas Department of Public Safety has reduced fees for background checks. Yes, you read that right, reduced! What does this mean for your renewal fees? It means that license holders and applicants will see a reduction of \$2.75 in

their fees. It might not seem like a lot but we thought license holders might like to be able to buy an extra cup of coffee next time they renew a license!

TREC Welcomes New Employees



Carol Taylor

Carol re-joined TREC as a Legal Assistant in Standards and Enforcement Services on January 17, 2012. Previously Carol worked for TALCB and TREC for 27 years before her retirement. During retirement she earned her Certification as Wedding/Event Planner from U.S. Career Institute. However, after 16 months into retirement she decided that she wanted to continue to work. Carol has lived in Austin for about 32 years, has one daughter, son-in-law, and a grandson whom she adores.



Kendall C. Tolbert

Kendall joins TREC as a Budget Analyst in the Staff Support Services division. Born and raised in Sweeny, Texas and later made his home in Houston where he worked for 12 years as an analyst for the Real Estate and Oil & Gas industries. Kendall moved to Austin in 2005 to become a Budget Analyst for the State of Texas, having worked for both the Texas Education Agency and the Texas Health and Human Services Commission prior to joining TREC in February 2012. Kendall is a licensed real estate professional. Kendall can usually be found playing basketball, shooting pool, fishing, or traveling. He is excited to be a part of the Texas Real Estate Commission.



Tyler Ferguson

Tyler joined the TREC Standards and Enforcement Division after working as an investigator for the Texas Board of Professional Engineers and the Texas Residential Construction Commission. Prior to living in Austin, Tyler was active duty military stationed at Lackland Air Force Base (San Antonio, TX). In his free time, Tyler enjoys the great food and outdoor activities provided by Austin and Central Texas. He especially enjoys time spent at Zilker Park and the Barton Creek Greenbelt with his girlfriend Elizabeth and dogs Brodie and Hank.



Yolanda Calderon

Born and raised in Austin. Yolanda joined the Texas Real Estate Commission/Texas Appraiser Licensing and Certification Board on March 5, 2012. Yolanda will be working in the Reception and Communication Services Division. Yolanda previously worked at Capitol Credit Union for sixteen years. She lives in South Austin with her two sons Jonathan and Jordan.



Oretha Trice

Oretha joined our agency on February 1, 2012 as an Accountant in the Staff and Support Services division. She worked as an Auditor for Clifton Gunderson, LLP CPA firm in Austin and has worked for the State of Texas previously. Oretha received her degree in Accounting from Jackson State University in Jackson, MS. Oretha has lived in Austin since 1990 and is originally from Chicago.

TALCB Bulletin



TALCB was created by an act of the Texas Legislature in 1991 to license, certify and regulate real estate appraisers in Texas under state and federal laws. In 2011, TALCB's jurisdiction was expanded to register and regulate appraisal management companies.

Inside this issue: TALCB Announces AMC Registration (Page 1) From the Chairman (Page 2) AQB Adopts new Requirements (Page 3) Rule Adoptions (Page 3) New Employees (Page 4) TALCB Enforcement Actions (Page 5)

Texas Appraiser Licensing and Certification Board Announces the Launch of Appraisal Management Company Registration

The Texas Appraiser Licensing and Certification Board (TALCB) is pleased to announce that the registration process for Appraisal Management Companies (AMCs) is fully operational. TALCB approved all forms to be used for AMC registration at a recent meeting in Austin. The application form is now available under the "My License Online Services" button on the home page of the Board's website. Online services were recently updated to be more user friendly. Directions and more information on the application process can be found on the TALCB website under the "Appraiser" tab.

Registration is for a two year period. Establishing a "panel" is the final step in this process. After a registration is approved, the

AMC must designate and maintain with TALCB a current list of the actively licensed Texas appraisers it contracts with for appraisal reports. The AMC must use the agency's online "Panel Management" tool for this purpose. FAQs and more information is available on the TALCB website.

Registration of all Appraisal Management Companies operating in Texas is required under Texas Occupations Code Chapter 1104 (HB 1146 82nd Legislature). To continue doing business in Texas, AMCs must be fully registered with TALCB no later than July 5, 2012.

For the full text of all TALCB rules, the AMC registration forms and more, please go to www.talcb.texas.gov.

Important Dates to Remember

TALCB Board Meeting—May 18

TALCB Chairman's Column

At the Board's February 17th meeting, we re-elected our Board officers. I was chosen to continue as the Chair for 2012, Walker Beard as the Vice-Chair and Sheryl Swift as Secretary. Thanks to all members for their continued confidence in the officers. Together we will continue to do the necessary work of protecting the public and serving the appropriate policy needs of the appraisal and AMC community. We also reappointed and expanded the Enforcement, Education and Budget committees. Then we welcomed back our SES Director Mark Mrnak on his return from USAF Reserve JAG Officer training.

We also appointed 8 volunteer members to the 2012 Peer Investigative Committees and look forward to their valuable professional contributions to the Board's work. The Board considered two items that it will refer to its own committees for additional investigation and development - the potential for holding meetings of the Board at locations other than Austin, and the potential for a 2 hour Texas topics continuing education course.

Appraisal Management Company (AMC) registration is set to begin on March 5, 2012 and must be completed by July 2nd for AMCs currently doing business in Texas. Check the Board's website for forms, online tools and additional details and answers to many frequently asked questions regarding AMC regulatory issues.

The Commissioner relayed to us the Attorney General's Opinion on the tax appraisal jurisdiction question we had posed regarding so called "Uniform & Equal Studies". This opinion will be referred to the Working Group previously established to investigate the matter for their further investigation and any recommendation.



Luis De La Garza, Jr.

We noted favorably the agency's planned Strategic Planning Listening Tour set for five locations across the state in March. We encourage all appraisers and interested parties to try to make it to one of these meetings or to go online and provide any ideas or comments on the topics selected for this session. We welcome your input.

Lastly, the Appraisal Subcommittee, a federal oversight agency, will be making its biennial audit visit to TALCB in May. We welcome them and look forward to their preliminary report at our next meeting on May 18, 2012.

Hoping the Spring season brings you all new business opportunities and a Happy Easter!

Appraiser Qualifications Board Adopts New Requirements

The Appraiser Qualifications Board has adopted changes to the *Real Property Appraiser Qualification Criteria* that will take effect January 1, 2015. Under the new criteria:

- education and experience will have to be completed prior to taking the *National Uniform Licensing and Certification Examinations*
- applicants for the Certified Residential and Certified General classifications will have to possess a Bachelor's degree or higher from an accredited college or university
- applicants for the Licensed Residential classification will have to have successfully completed 30 semester hours of college-level education from an accredited college, junior college, community college, or university, *or* have an Associate's degree or higher from an accredited college, junior college, community college, or university
- all candidates will be required to undergo a background check

Other changes to the Criteria include:

- recognition of approved university degree programs as counting toward the education requirements in the *Real Property Appraiser Qualification Criteria*
- removal of the "Segmented" Approach to the *Real Property Appraiser Qualification Criteria* implementation
- prohibition of repetitive continuing education in the same continuing education cycle

- clarification of the term "written examination"
- revisions to the Trainee Appraiser classification that will include a requirement to take a course oriented to the requirements and responsibilities of Trainee Appraisers and supervisory Appraisers
- new Supervisory Appraiser requirements
- revisions to Guide Note 1
- additions to the illustrative list of educational topics acceptable for continuing education

While these changes do not take effect until 2015, it is important to be aware of the more immediate implications of these changes. Because the requirements for a residential certification include 24 months of experience and the requirements for a general certification include 30 months of experience, a person who may later wish to upgrade to a residential certification under the current requirements must *obtain a license* (not merely submit an application) no later than December 31, 2012, and a person who may later wish to upgrade to a general certification under the current requirements must *obtain a license* no later than June 30, 2012. As the process of auditing applications and processing experience can take several weeks or longer, the Board advises appraisers to be mindful of these deadlines and to take appropriate action as soon as possible.

For more information about these changes, please refer to the Appraisal Foundation's website, www.appraisalfoundation.org.

Adopted Rules February 17, 2012 Meeting of the Board

Chapter 153. Rules Relating to Provisions of the Texas Appraiser Licensing and Certification Act

22 TAC §153.5 Fees

The amendments to Section 153.5: would delete a reference to payment of fees with currency, as the agency can no longer accept cash. would delete provisions regarding National Registry fees that are duplicative of §1103.156, Texas Occupations Code.

Chapter 159, Rules Relating to the Provisions of the Texas Appraisal Management Company Registration and Regulation Act

22 TAC §159.161 Appraiser Panel

The amendments to Section 159.161: would clarify that an appraisal management company (AMC) may not make an assignment to an appraiser who is not on the AMC's appraiser panel, unless the appraiser is an employee of the AMC.



Renée Tanksley

Renée was born in Panama, and got her Bachelor's in Tourism and Business Administration back home. Prior to joining TALCB as a Legal Assistant, she worked as a Legal Assistant at Perdue Brandon Fielder Collins & Mott LLP Law Firm. Renée received her paralegal certificate from ACC in 2008. She worked for the Correction Division of Williamson County for 6 years. Renée has a teenager son Benjamin and is happy to be part of the TALCB family.



Kyle Wolfe

Joins TALCB in the Standards and Enforcement Services Division as an Attorney. Prior to joining the Texas Appraiser Licensing and Certification Board, Kyle worked as a Hearing Officer with the Texas Workforce Commission and as an Assistant District Attorney with Brazoria County. He is looking forward to continue serving the State of Texas. Kyle is a graduate of Baylor University in Waco and South Texas College of Law in Houston. Kyle, who is originally from Houston, recently moved to Austin with his wife, who is also an Attorney.



Larry Ray

Larry joins TALCB standards and enforcement division as an investigator. Larry began his appraisal career in 1967 while attending Baylor University. In 1969 he graduated from Baylor with a major in accounting and a concentration in economics. After receiving his MAI designation from the Appraisal Institute in 1975, Larry established Central Texas Appraisal Company in 1976. From 1976 through his retirement at the end of 2010, he was President of Central Texas Appraisal Company. Larry began specializing in appraisals for eminent domain and other types of real estate litigation in 1980. He has completed more than 2,000 eminent domain and real estate litigation appraisals and has been qualified as an expert witness to testify in many courts, testifying more than 300 times. Larry and his wife, Linda, reside in Wimberley. Linda has been a teacher for about 17 years. They have five grown children and nine grandchildren.



Marjorie Caldwell

A Certified Residential Real Estate Appraiser with 19 years of experience in residential appraisal. She has extensive experience in appraising for the Federal Housing Administration, the Veterans Administration, and in Fannie Mae field reviews. She has been a fundraising coordinator for United Way, a committeeman for the Pasadena Rodeo Association, and an active member of Sagemont Church.

WOODRUFF, Edward Eugene

Lic. # TX-1323364-R

Houston

Complaint No.: 09-056 & 10-360 Allegations that Respondent's appraisals were deficient, in violation of the Uniform Standards of Professional Appraisal Practice and not completed properly

Summary of Violations Found: ((1) Respondent violated the above-noted provisions of USPAP as prohibited by TEX. OCC. CODE §1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3). (2) Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations and omitting material facts.

Action taken: Respondent shall: (1) Submit to a 12 month review period under the following conditions: (i) Twelve month review period Respondent shall submit to the Board an appraisal experience log on a form prescribed by the Board. The log shall be submitted every three months and shall detail all real estate appraisal activities he has conducted during the previous three month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of his appraisal reports and work files for any appraisal assignments he performs during the course of this period of review within the twenty days of notice of any such request. During the review period the Board shall not request more than 2 such appraisal reports and work files during any one quarterly period; (ii) Respondent shall fully and timely comply with all of the provisions of this Agreed Final Order; (2) Attend and complete a minimum, 15 classroom-hour course in Uniform Standards of Professional Appraisal Practice; (3) Attend and complete a minimum, 7 classroom-hour course in Staying Out of Trouble; (i) No examination shall be required for this course; (4) Within 12 months of the effective date of this order, Respondent shall complete 15 hours of in-person mentorship conducted by a certified USPAP instructor approved by the Board within the following time frames: (a) 8 hours shall be completed within the first 6 months; (b) the remaining 7 hours shall be completed within 12 months. At the conclusion of both the 6 month and 12 month time periods, Respondent shall submit on a form

provided by the Board, a signed, notarized affidavit attested by the certified USPAP instructor confirming completion of the corresponding number of mentorship hours.

TYSON, Robert Allan

Lic. # TX-1320617-R

Complaint No.: 10-059 & 10-110 Allegations that that the Respondent produced appraisal reports for the properties that did not conform to Uniform Standards of Professional Appraisal Practice.

Action taken: Certification number TX-1320617-R to practice real property appraisal in the State of Texas, permanently revoked without formal charges, notice of hearing, or a formal hearing.

SCHENCK II, Harold E.

Lic. # TX-1321291-R

Jonestown

Complaint No.: 10-118, 10-202 & 11-278 : Allegations that the Respondent produced appraisal reports for the properties that did not conform to Uniform Standards of Professional Appraisal Practice.

Action Taken: Respondent shall not seek renewal of his certification, nor apply to the Board for any authorization, license, certification or registration in the future.

RUDASILL, Wylie Payne

Lic. # TX-1331780-R

Austin 10-145

Complaint No.: 12-093: Allegations that the Respondent had produced an appraisal report for the property that contained various deficiencies.

Summary of Violations Found: (1) Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3) : USPAP Ethics Rule (record keeping provisions); USPAP Scope of Work Rule; USPAP Standard Rules: 1-2(h) & 2-2(b)(vii); 1-3(a) & 2-2(b)(viii); 1-4(b)(ii) & 2-2(b)(viii); 1-4(b)(iii) & 2-2(b)(viii); 1-1(a) & 1-4(b); 1-4(a) & 2-2(b)(viii); 1-1(a) &

1-4(a); 1-1(a), 1-1(b), 1-1(c); and, 2-1(a).(2)
Respondent violated 22 TEX. ADMIN. CODE §153.20
(a)(9) by making material misrepresentations and
omitting material facts.

Action Taken: Respondent shall: (1) Within 6 months
of the effective date of this order, Respondent shall
complete 6 hours of in-person mentorship conducted by
a certified USPAP instructor approved by the Board.
Upon completion of the requisite mentorship hours,
and, within 7 days of the 6 month period referenced
above, Respondent shall submit on a form provided by
the Board, a signed, notarized affidavit attested by the
certified USPAP instructor confirming completion of the
mentorship hours; (2) Attend and complete a minimum,
15 classroom-hour course in USPAP; (3) Attend and
complete a minimum, 7 classroom-hour course in
Staying Out of Trouble; (i) No examination shall be
required for this course; (4) Submit to a 6 month review
period under the following conditions: (i) During the six
month review period Respondent shall submit to the
Board an appraisal experience log on a form prescribed
by the Board. The log shall be submitted every three
months and shall detail all real estate appraisal
activities he has conducted during the previous three
month period. This experience log shall be signed by
Respondent and contain a notarized affidavit attesting
the log is true, complete and fully accurate. Upon
request from the Board, Respondent shall provide
copies of his appraisal reports and work files for any
appraisal assignments he performs during the course of
this period of review within the twenty days of notice of
any such request .

REEVES, Clifford Eugene

Lic. # TX-1323023-R

Alvord

Complaint No.: 09-196 & 09-25710-101 : Allegations
that the Respondent had produced an appraisal report
that contained various deficiencies. .

Summary of Violations Found: (1) Respondent violated
the following provisions of USPAP as prohibited by
TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN.
CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics
Rule (record keeping provision); USPAP Standards: 1-2
(e)(i) & 2-2(b)(iii); 1-3(a) & 2-2(b)(viii); 1-3(b) & 2-2(b)
(ix); 1-4(b)(ii) & 2-2(b)(viii); 1-4(b)(iii) & 2-2(b)(viii); 1-1
(a) & 1-4(b); 1-4(a) & 2-2(b)(viii); 1-1(a) & 1-4(a); 1-5(a)

& 2-2(b)(viii); 1-1(a); 1-1(b); 1-1(c); and 2-1(a).(2)
Respondent violated 22 TEX. ADMIN. CODE §153.20
(a)(9) by omitting material facts.

Action Taken: Respondent shall:(1) Attend and
complete a minimum, 7 classroom-hour course in
Staying Out of Trouble; and (2) Attend and complete a
minimum, 15 classroom-hour course in Residential
Report Writing.

NICHOLS, Cory Amyett

Lic. # TX-1322652-R

Springtown

Complaint No.: 12-094 : A complaint was filed with the
Board based on allegations that the Respondent had
produced an appraisal report that did not comply with
the USPAP.

Summary of Violations Found: (1) Respondent violated
the following provisions of USPAP as prohibited by
TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN.
CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics
Rule (record-keeping provisions); USPAP Standards
Rules: 2-2(vi), 1-2(e)(i) & 2-2(iii), 1-2(e)(iv) & 2-2(viii), 1-
3(a), 1-3(b) & 2-2(ix), 1-4(b)(i), 1-4(b)(ii), 1-1(a) & 1-4
(b), 1-4(a), 1-5(a), 1-5(b), 1-6(a) & (b), 1-1(b), 1-1(c),
and 2-1(a). (2) Respondent violated 22 TEX. ADMIN.
CODE §153.20(a)(9) by making material
misrepresentations and omitting material facts.

Action Taken: Respondent shall: (1) Attend and
complete a minimum, 15 classroom-hour course in
USPAP; and,
(2) Attend and complete a minimum, 15 classroom-hour
course in appraiser report writing

JOHNSON, Carleton

Lic. # TX-1337479-T

Complaint No.: 12-045: Allegations Respondent had
produced an appraisal report that did not comply with
the Uniform Standards of Professional Appraisal
Practice

Action Taken: That authorization number TX-1337479-
T hereto issued to CARLETON JOHNSON, to practice
real property appraisal in the State of Texas, be
permanently revoked without formal charges, notice of
hearing, or a formal hearing.

GALLENO, Erica Michelle

Lic. # TX-1337741-R
Houston

Complaint No.: 11-403 : The complaint alleged that Respondent's appraisals were deficient, in violation of the Uniform Standards of Professional Appraisal Practice ("USPAP") and not completed properly.

Summary of Violations Found: (1) Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics Rule (conduct and record-keeping); USPAP Scope of Work Rule; USPAP Standards Rules: 1-2(h); 1-2(a) & 2-2(i); 1-2(b) & 2-2(ii); 1-2(f) or 1-2(g), 2-1(c) & 2-2(x); 1-2(e)(i) & 2-2(iii); 1-3(a) & 2-2(viii); 1-3(b) & 2-2(ix); 1-4(b)(i) & 2-2(viii); 1-4(b)(ii) & 2-2(viii); 1-1(a) & 1-4(b); 1-4(a) & 2-2(viii); 1-1(a) & 1-4(a); 1-5(a) & 2-2(viii); 1-5(b) & 2-2(viii); 1-1(a); 1-1(b); 1-1-1(c); 2-1(b).(2) Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations and omitting material facts.

Action Taken:: Respondent shall:(1) During a 1 year review period, beginning on the effective date of this order, Respondent shall submit to the Board, within 7 days of completion of the quarter, an appraisal experience log on a form prescribed by the Board. The log shall be submitted every three months and shall detail all real estate appraisal activities he has conducted during the previous three month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of her appraisal reports and work files for any appraisal assignments he performs during the course of this period of review within the twenty days of notice of any such request. (2) Within 6 months of the effective date of this order, Respondent shall complete 8 hours of in-person mentorship conducted by a certified USPAP instructor approved by the Board. Upon completion of the requisite mentorship hours, and, within 6 months of the effective date of this order, Respondent shall submit on a form provided by the Board, a signed, notarized affidavit attested by the certified USPAP instructor confirming completion of the mentorship hours;(3)

Attend and complete a minimum, 15 classroom-hour course in USPAP, in classroom and with examination; and,(4) Attend and complete a minimum, 7 hour "Staying out of Trouble" course, in classroom; (i) no examination is required for this course.

FELLAT, Fatiha

Lic. # TX-1334606-L
Richmond

Complaint No.: 10-242 : Allegations that the Respondent had produced an appraisal report that did not comply with the USPAP.

Summary of Violations Found: (1) Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics Rule; USPAP Scope of Work Rule; USPAP Standards Rules: 1-2(e)(i) & 2-2(iii); 1-3(a) & 2-2(b)(viii); 1-3(b) & 2-2(ix); 1-4(b)(i) & 2-2(b)(viii); 1-1(a) & 1-4(b); 1-4(a) & 2-2(b)(viii); 1-1(a) & 1-4(a); 1-1(a); 1-1(b); 1-1(c); 2-1(a) and, 2-3 and 2-2(b)(vii). (2) Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations and omitting material facts

Action Taken: Respondent shall: (1) Is hereby publicly reprimanded for producing an appraisal report that failed to comply with the provisions of USPAP in effect at the time she conducted this appraisal assignment; and, (2) Pay an administrative penalty of \$500 to the Board

ELLISOR, Randy Ray

Lic. # TX-1334529-R
Houston

Complaint No.: 09-222 & 11-403 The complaint alleged that Respondent's appraisals were deficient, in violation of the Uniform Standards of Professional Appraisal Practice ("USPAP") and not completed properly.

Summary of Violations Found: (1) Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics Rule (conduct and record-keeping); USPAP Scope of Work Rule; USPAP Standards Rules: 1-2(h); 1-2(a) & 2-2(i); 1-2(b) & 2-2(ii); 1-2(f) or 1-2(g), 2-1(c) & 2-2(x); 1-2(e)(i) & 2-2(iii); 1-3(a) & 2-2(viii); 1-3(b) & 2-2(ix); 1-4(b)

(i) & 2-2(viii); 1-4(b)(ii) & 2-2(viii); 1-1(a) & 1-4(b); 1-4(a) & 2-2(viii); 1-1(a) & 1-4(a); 1-5(a) & 2-2(viii); 1-5(b) & 2-2(viii); 1-1(a); 1-1(b); 1-1-1(c); 2-1(b). (2) Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations and omitting material facts (3) Respondent violated 22 Tex. Admin. Code §§153.20(a)(13) and 153.21(d) by failing to actively, personally, and diligently supervise an appraiser trainee under his sponsorship.

Action Taken: Respondent shall: (1) During a 1 year review period, beginning on the effective date of this order, Respondent shall submit to the Board, within 7 days of completion of the quarter, an appraisal experience log on a form prescribed by the Board. The log shall be submitted every three months and shall detail all real estate appraisal activities he has conducted during the previous three month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of his appraisal reports and work files for any appraisal assignments he performs during the course of this period of review within the twenty days of notice of any such request; (2) Within 6 months of the effective date of this order, Respondent shall complete 8 hours of in-person mentorship conducted by a certified USPAP instructor approved by the Board. Upon completion of the requisite mentorship hours, and, within 6 months of the effective date of this order, Respondent shall submit on a form provided by the Board, a signed, notarized affidavit attested by the certified USPAP instructor confirming completion of the mentorship hours; (3) Attend and complete a minimum, 15 classroom-hour course in USPAP, in classroom and with examination; (4) Attend and complete a minimum, 7 hour "Staying out of Trouble" course, in classroom; (i) no examination is required for this course; (5) Attend and complete a minimum, 7 hour review appraisal course, in classroom; (i) no examination is required for this course; (6) Pay to the Board an administrative penalty of \$1,500.00; (i) \$1,000 of the administrative penalty shall be fully probated under the condition that the Respondent submit a two-page, signed, dated report for each of the above-noted courses

DUNCUM, Justin

Lic. # TX-1325185-R
Houston

Complaint No.: 12-140 : The complaint alleged that the Respondent produced an appraisal report for the property that did not conform to Uniform Standards of Professional Appraisal Practice.

Action Taken: Respondent shall not seek renewal of his certification, nor apply to the Board for any authorization, license, certification or registration in the future. .

DALTON, Kathy Ann

Lic. # TX-1323550-R
Springtown

Complaint No.: 10-268 : The complaint alleged that the Respondent produced an appraisal report that contained violations of the Uniform Standards of Professional Appraisal Practice (USPAP).

Summary of Violations Found: (1) Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics Rule (record-keeping); USPAP Competency Rule; USPAP Scope of Work Rule; 1-2(h); 1-2(e)(i) & 2-2(iii); 1-3(a) & 2-2(b)(viii); 1-3(b) & 2-2(ix); 1-4(b)(i) & 2-2(b)(viii); 1-4(b)(ii) & 2-2(b)(viii); 1-1(a) & 1-4(b); 1-4(a) & 2-2(b)(viii); 1-1(a) & 1-4(a); 1-5(b) & 2-2(b)(viii); 1-1(a), (b) & (c); and 2-1(a). (2) Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations and omitting material facts.

Action Taken: Respondent shall: (1) Within 6 months of the effective date of this order, Respondent shall complete 8 hours of in-person mentorship conducted by a certified USPAP instructor approved by the Board. Upon completion of the requisite mentorship hours, within 6 months of the effective date of this order, Respondent shall submit on a form provided by the Board, a signed, notarized affidavit attested by the certified USPAP instructor confirming completion of the mentorship hours; and, (2) After the completion and submission of the mentorship hours, for a 6 month

review period Respondent shall submit to the Board an appraisal experience log on a form prescribed by the Board. The log shall be submitted every 3 months and shall detail all real estate appraisal activities she has conducted during the previous three month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of her appraisal reports and work files for any appraisal assignments she performs during the course of this six months review period within the twenty days of notice of any such request.

CROSS, Elton Ray

Lic. # TX-1330471-R

Complaint No.: 11-36911-312 : Complaint relating to failure to comply with a final order of the Board.

Summary of Violations Found: Respondent violated 22 TEX. ADMIN. CODE § 153.20(a)(23) by failing to comply with a final order of the Board.

Action Taken: Respondent: (1) Have his certification revoked with that revocation being fully probated for a period of six months (6), under the following conditions:

(i) During the probated, six month revocation period Respondent shall submit to the Board, within 7 days of completion of the quarter, an appraisal experience log on a form prescribed by the Board. The log shall be submitted every two months and shall detail all real estate appraisal activities he has conducted during the previous two month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of his appraisal reports and work files for any appraisal assignments he performs during the course of this period of probation within the twenty days of notice of any such request; (ii) Respondent shall not sponsor any appraiser trainees during the entire suspension period; (iii) Within 3 months of the effective date of this

order, Respondent shall complete 10 hours of in-person mentorship conducted by a certified USPAP instructor approved by the Board. Upon completion of the requisite mentorship hours, and, within 3 months of the effective date of this order, Respondent shall submit on a form provided by the Board, a copy of which is attached to this Agreed Settlement Order, a signed, notarized affidavit attested by the certified USPAP instructor confirming completion of the mentorship hours; (iv) Respondent shall fully and timely comply with all of the provisions of this Agreed Settlement Order; (2) Respondent shall pay an administrative penalty of \$500.00.

BAZAN, David

Lic. # TX-1336986-R

Complaint No.: 10-094 : Allegations Respondent had produced an appraisal report that did not comply with the Uniform Standards of Professional Appraisal Practice.

Action Taken: Respondent shall not seek renewal of his certification, nor apply to the Board for any authorization, license, certification or registration in the future.

Inspector Insight



Inside this issue: From the Chairman (Page 1) Public Member Vacancy Announcement (Page 2)

From the Chair ...

Though I have served on the Inspector Committee for many years, this is my first column as a Chair. I appreciate the members' confidence in allowing me to steer our efforts for a term.

All across Texas, markets are improving. I hope that means more business for you and that positive trend will continue for a long time into the future.

The Committee recently recommended that Texas adopt the National Home Inspector Exam (NHIE) to better prepare inspectors for the field and aid with some limited reciprocity concerns. The Commission approved this recommendation and the new tests should be ready for implementation after September 1, 2012. PSI will administer the tests, one for national topics and one for Texas specific matters.

The agency is going through a strategic planning process this Spring and inspector issues will remain important topics for both industry and consumer inputs. Input sessions are being conducted around the state in March, with Midland and Dallas remaining on the calendar.

Try to make one if you can.

The Committee continues to work on updating the Standards of Practice (SoP) to clarify the scope of work subject to the jurisdiction of Chapter 1102 of the Texas Occupations Code. Look for some additional

recommendations to be proposed to the Commission for potential action in the near future. We look forward to continuing to make progress on these matters.

Our next meeting will be on April 16th at 10 AM in the Committee Room on the 4th Floor at the Commission. We will keep you informed on our accomplishments and we hope you will make time to participate



Brad Phillips

Public Member Vacancy on Texas Real Estate Inspector Committee

The Texas Real Estate Commission invites applications for appointment to an open public member seat on the Inspector Committee.

The committee's purpose is to make recommendations to the Commission regarding a variety of inspection-related matters toward the goal of ensuring a high degree of service to and protection of the public in dealing with inspectors. The committee consists of six professional inspectors and three public members. The open public member appointment expires on February 1, 2015. Following the Commission's model, public members may not hold occupational licenses in the real estate field (appraiser, real estate broker/salesperson, mortgage broker, etc.).

The committee is permitted to meet by teleconference, although it is anticipated that some travel to Austin will be necessary. Limited funds may be available for travel reimbursement, but members are not compensated for their time.

All committee meetings must comply with the Open Meetings Act.

Individuals wishing to be considered for appointment should send a letter and resume to Chairman Avis Wukasch at the Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, by fax to 512-936-3788, or by e-mail to administrator@trec.texas.gov. Applications must be received at TREC no later than Friday, February 24, 2012.

Important Dates to Remember

TREIC SOP Subcommittee Meeting—March 27

TREIC Meeting—April 16



Want to see what's on the agenda for the next TREIC meeting?

All of the meeting agendas and minutes are posted on the TREC website here: www.trec.state.tx.us/newsandpublic/meetings.asp#inspector