



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.

Inside this issue: Who Are You? (page 1) From the Administrator (page 2) Agency Staffing Updates (page 3) CSST Safety Concerns (page 4) Rules Proposed for Adoption (page 4) TREC Enforcement Matters (page 5)

Who Are you?

When was the last time you asked to see someone's driver's license? Did you ask to see a driver's license when someone wanted to test drive your used car that was for sale? Did you make a copy of the license? Did you check and copy a driver's license or other photo identification and check the status of a real estate license number when you agreed to sponsor a salesperson or begin an affiliation with a broker? Is your brokerage office more important than your used car?

Identity theft can show up in many different situations. We see it when an unlicensed individual takes on the identity of a license holder. For example, an in-law who had the same last name as a real estate agent and pretended to be licensed. She claimed the difference in first names was just a nickname. Or the woman who signed on with a brokerage firm as a salesperson using the license number of someone who had a very similar name. On a closer look, the women looked completely different.

Also, there was the mother who pretended to be her daughter, and vice versa, and some

intentional confusion between a father and son with similar names. Perhaps the most startling of all were license holders who kept renewing the license of their deceased broker. Perhaps that initially saved some money on commission splits, but eventually they were caught and disciplined.

What do they all have in common? (1) Identity theft. (2) They were caught and disciplined.

Written complaints, information, and inquiries sent to the Commission by license holders and the public are what enable the Commission to investigate and stop "licensee imposters." If you see something that you think is suspicious, you might want to look into the situation. Your curiosity, concern, and communications to the Commission help us enforce our laws and rules.

For more questions and answers from our Standards & Enforcement Services Division please go to our website www.trec.texas.gov and click on FAQ's on our homepage.

It's Strategic Planning time again at the agency! So we need your help. In February and March we will be holding "Listening Tour" meetings across this great state of Texas and we look forward to hearing from you. Watch your inbox for an email announcement of all of the details, dates, locations, schedule and topics. If you can't make it to one of these sessions, we invite you to go online to our website and respond to the questions there. Either way, we will listen and make the Commissioners aware of your concerns in the final report provided to state leadership this summer.

Winter has been unusually harsh so far this year, but it hasn't cooled the pace at which the agency services the needs of license holders and consumers. Calls, emails, online application completion and office visits are all up. We are short a couple of staff in the education section, but otherwise are keeping up with your requests. And we want to make sure you get what you need to serve the people of Texas with quality, timely, professional services. Please let us know how you think we are doing. We really do appreciate the feedback.

Several staff members will be presenting and speaking at the TAR winter meeting in Austin this weekend, and the Commission will meet at 10AM on Monday February 10th for its regular quarterly meeting. A full agenda will include proposal of



some updates to Standard Promulgated Forms, as well as progress reports from all of the Commission's Committees and Working Groups. If you have a chance, stop by; we'd love to see you. Come say congratulations to Kerri Lewis, the agency General Counsel and Deputy Administrator. Her hard work over the past four years earned her this top spot in the agency!

As always, it is a pleasure to be a part of such a great organization working with the professionals who serve the real estate industry in the great state of Texas! Help us to make it better. Thanks.

Important Dates to Remember

- TREC Commission Meeting — February 10
- President's Day Agency Closed—February 17
- Broker Responsibility Working Group—March 25
- Broker Lawyer Committee Meeting —April 4
- ESAC Committee Meeting—April 7

New TALCB General Counsel/Deputy Commissioner and TREC Deputy General Counsel Announced



The Texas Appraiser Licensing & Certification Board (TALCB) is pleased to announce that Kristen Worman has joined the agency as the new General Counsel and Deputy Commissioner. Kristen comes to the agency with two

decades of relevant legal experience and will be a valuable asset as a senior member of the TALCB team. Ms. Worman will also serve as Deputy General Counsel to the Texas Real Estate commission.

Ms. Worman's extensive legal practice has focused primarily on administrative law and regulatory compliance. She previously served as an Assistant General Counsel for The Texas A&M University System, where she represented the system and its members in proceedings before state and federal agencies, such as the Public Utility Commission of Texas, the Texas

Commission on Environmental Quality, the U.S. Department of Education and the National Science Foundation Office of Inspector General. She also advised system members regarding compliance with system policies and regulations.

Ms. Worman has a broad legal background with more than 19 years of experience in state and federal administrative and appellate law. Prior to her work for the A&M System, she served as Staff Attorney for Justice Jan Patterson at the Third District Court of Appeals in Austin, Texas, and as an Assistant Attorney General for the Office of the Attorney General of Texas. Ms. Worman has been board certified by the Texas Board of Legal Specialization in Administrative Law since 2002.

The Texas Appraiser Licensing & Certification Board works to protect the public through the agency's programs of education, licensing and regulation to ensure that real estate appraisers and appraisal service providers are competent and trustworthy. More information on the Board and its programs can be found at www.talcb.texas.gov.

Agency TOP Performer

Congratulation to Kerri Lewis! Ms. Lewis has been selected as the Team Outstanding Performer for Oct-Dec 13!

Kerri's dedication to the agency was on amazing display during the last quarter when she managed two full-time jobs as General Counsel, ably guiding the Commission, Board and all of the many and varied committees and working groups - with out a hitch; and still made time to update the PIA process and a few other choice improvements to agency processes. Amazing! Thank you Kerri - well deserved!!



CSST Safety Concerns

Corrugated Stainless Steel Tubing (CSST) is a yellow, flexible, metal gas tubing used to supply natural gas or propane to gas appliances and HVAC systems for both residential and commercial structures. Since 1990, CSST has been installed in millions of homes in the U.S. It has been shown that an indirect lightning strike near a structure in which CSST has been installed can cause an electrical surge to travel into the structure, perforating in the sidewall of the CSST as the energy arcs from one metallic system to another seeking ground. This arcing can ignite the pressurized gas leaking from the perforation and cause potentially significant fire. Properly bonding and grounded a CSST system can reduce the likelihood of electrical arcing due to an indirect lightning strike. While current manufacturing

guidelines and gas fuel codes require direct bonding of newly installed CSST, many installations, particularly older installations, may not meet the current installation requirements.

The Texas State Fire Marshall, in conjunction with the National Association of State Fire Marshalls (NASFM), has launched a safety campaign in Texas to bring awareness as to the importance of properly bonding CSST. The campaign encourages property owners that are aware CSST has been installed on their property to contact a licensed electrical contractor to determine if the gas system is properly bonded. For further information regarding this safety campaign, please visit www.csstsafety.com.

Rule Actions for the February 10, 2014 Commission Meeting

PROPOSED RULES FOR ADOPTION

The following rules were proposed at the October 23, 2013 meeting of the Commission and are up for adoption at the February 21, 2014 meeting. The proposed rules and draft forms can be found at the TREC website at http://www.trec.state.tx.us/formslawscontracts/rules_codes/Rule.asp

Chapter 535 General Provisions

Subchapter E. Requirements for Licensure

§535.51. General Requirements for a License.

The proposed amendment corrects §535.51(d)(4) to increase the timeframe for an applicant to submit fingerprints from six months to twelve months to be consistent with the timeframe an applicant has to take an examination under §1101.401 of the Real Estate License Act and to meet the other requirements of an application under §535.51(d)(1). *Earliest possible date of adoption: 2/10/2014*

Subchapter F. Pre-License Education and Examination

§535.62. Acceptable Courses of Study, §535.64. Obtaining Approval to Offer a Course.

The proposed amendments to §535.62 add Law of Contracts and Promulgated Contract Forms as new subsection (e), which are 30 hour core courses with

specific topics, subtopics, and units, with mandated time periods in which instructors must teach each topic or subtopic. The addition of subsection (e) requires the re-lettering of the remaining subsections in the rule.

Chapter 537 Professional Agreements and Standard Contracts

§537.20. Standard Contract Form TREC No. 9-11, Unimproved Property Contract; §537.28. Standard Contract Form TREC No. 20-12, One to Four Family Residential Contract (Resale); §537.30. Standard Contract Form TREC No. 23-13, New Home Contract (Incomplete Construction); §537.31. Standard Contract Form TREC No. 24-13, New Home Contract (Completed Construction); §537.32. Standard Contract Form TREC No. 25-10 Farm and Ranch Contract; §537.37. Standard Contract Form TREC No. 30-11 Residential Condominium Contract; §537.44. Standard Contract Form TREC No. 37-5 Subdivision Information, Including Resale Certificate for Property Subject to Mandatory Membership in a Property Owners' Association; §537.47. Standard Contract Form TREC No. 40-5, Third Party Financing Addendum for Credit Approval; and new §537.53. Standard Contract Form TREC No. 46-0, Mutual Termination of Contract

The amendments adopted by reference six revised contract forms, two revised addenda, and one new addendum for use by Texas real estate licensees.

Name and Location	Order	Basis For Order				
<p>Case#: 131753 JARWAN, ESAM M (license # 4060) Inspector-I EULESS(TARRANT) Effective Date: 12/10/2013</p> <table border="1" data-bbox="115 436 396 577"> <tr><th>Violation(s)</th></tr> <tr><td>22 TAC 535.215(f)</td></tr> <tr><td>22 TAC 535.224(b)(3)</td></tr> </table>	Violation(s)	22 TAC 535.215(f)	22 TAC 535.224(b)(3)	<p>Agreed reprimand of professional inspector. Agreed administrative penalty of \$1,500.00.</p>	<p>Consumer Complaint Respondent conducted a real estate inspection when his inspector license was on inactive status for failure to complete continuing education. Respondent had, at the time of the inspection, completed the required continuing education and submitted documentation to the Commission regarding the completed courses, but had not yet submitted an application to transfer the license to active status. Respondent failed to timely respond to the Commission's request for information regarding Respondent's license.</p>	
Violation(s)						
22 TAC 535.215(f)						
22 TAC 535.224(b)(3)						
<p>Case#: 140164 GOMEZ GABRIEL REAL ESTATE, LLC (license # 9002725) Real Estate Company-O CORPUS CHRISTI(NUECES) Effective Date: 12/10/2013</p> <table border="1" data-bbox="115 814 370 955"> <tr><th>Violation(s)</th></tr> <tr><td>1101.351(a-1)</td></tr> <tr><td>1101.652(a)(02)</td></tr> </table>	Violation(s)	1101.351(a-1)	1101.652(a)(02)	<p>Agreed one-year probated suspension of broker license fully probated for one year. Agreed administrative penalty of 2,000.00.</p>	<p>Consumer Complaint Respondent engaged in real estate brokerage activities without a real estate broker license. Respondent, through its designated broker, filed an application for a real estate broker license by a business entity with the Commission. The application was approved. In the Application, Respondent, made material misstatements of fact in its application.</p>	
Violation(s)						
1101.351(a-1)						
1101.652(a)(02)						
<p>Case#: 140480 TEAGUE, JESSE LEE JR (license # 4632) Inspector-I KILLEEN(BELL) Effective Date: 12/13/2013</p> <table border="1" data-bbox="115 1150 370 1245"> <tr><th>Violation(s)</th></tr> <tr><td>22 TAC 535.221(b)</td></tr> </table>	Violation(s)	22 TAC 535.221(b)	<p>Agreed administrative penalty of \$200.00.</p>	<p>Consumer Complaint Respondent failed to include his license number on an advertisement.</p>		
Violation(s)						
22 TAC 535.221(b)						
<p>Case#: 130715,130623,121938 ARKIDUS HOME PROTECTION, INC. (license # 0) None MIAMI(MIAMI-DADE) Effective Date: 12/13/2013</p> <table border="1" data-bbox="115 1444 389 1539"> <tr><th>Violation(s)</th></tr> <tr><td>1303.101</td></tr> </table>	Violation(s)	1303.101	<p>Ordered to cease and desist all activities considered to be the business of a residential service company. Assessment of an administrative penalty of \$15,000.00.</p>	<p>Consumer Complaint Respondent issued a residential service contract or performed or arranged to perform services under a residential service contract without a residential service company license.</p>		
Violation(s)						
1303.101						
<p>Case#: 130001 QUINONES, SUSAN MARIE (license # 492186) Real Estate Broker / Salesperson-I COPPERAS COVE(CORYELL) Effective Date: 11/24/2013</p> <table border="1" data-bbox="115 1776 410 1955"> <tr><th>Violation(s)</th></tr> <tr><td>1101.652(b)(01)</td></tr> <tr><td>1101.652(b)(09)</td></tr> <tr><td>22 TAC 535.146(d) (1/11)</td></tr> </table>	Violation(s)	1101.652(b)(01)	1101.652(b)(09)	22 TAC 535.146(d) (1/11)	<p>Automatic suspension of salesperson license.</p>	<p>Administrative Complaint Respondent failed to comply with the terms of an agreed order entered by the Commission by failing to timely make administrative penalty payments to the Commission.</p>
Violation(s)						
1101.652(b)(01)						
1101.652(b)(09)						
22 TAC 535.146(d) (1/11)						

<p>Case#: 140259 WATKINS, LEAR DONNA (license # 454350) Real Estate Broker / Salesperson-I MISSOURI CITY(FORT BEND) Effective Date: 12/5/2013</p> <table border="1" data-bbox="115 445 375 585"> <thead> <tr> <th>Violation(s)</th> </tr> </thead> <tbody> <tr> <td>1101.652(a)(04)</td> </tr> <tr> <td>22 TAC 534.2(a)</td> </tr> </tbody> </table>	Violation(s)	1101.652(a)(04)	22 TAC 534.2(a)	<p>Reprimand of broker license. Assessment of an administrative penalty of \$500.00. Suspension of broker license until payment in full of the fees and penalty.</p>	<p>Administrative Complaint Respondent failed within a reasonable time to make good a check issued to the Commission. Respondent failed to pay the check processing fee within 15 days after the Commission had mailed a request for payment.</p>
Violation(s)					
1101.652(a)(04)					
22 TAC 534.2(a)					
<p>Case#: 140296 HAYES, SHAWN (license # 636086) Real Estate Broker / Salesperson-I KENNEDALE(TARRANT) Effective Date: 12/9/2013</p>	<p>Agreed four-year probationary salesperson license issued.</p>	<p>Applications Commission of an offense that directly relates to the duties and responsibilities of the occupation of a licensed real estate salesperson under 22 Tex. Admin. Code §541.1. Applicant provided documentation addressing the factors outlined in Tex. Occ. Code §53.023 and, subject to reasonable terms of a probationary license, demonstrated that Applicant possesses the requisite honesty, trustworthiness, and integrity to qualify to be licensed as a real estate salesperson under Tex. Occ. Code §1101.354(2).</p>			
<p>Case#: 140452 SAPP, DUSTYN JERMAINE (license # 636087) Real Estate Broker / Salesperson-I HOUSTON(HARRIS) Effective Date: 12/9/2013</p>	<p>Agreed two-year probationary salesperson license issued.</p>	<p>Applications Commission of an offense that directly relates to the duties and responsibilities of the occupation of a licensed real estate salesperson under 22 Tex. Admin. Code §541.1. Applicant provided documentation addressing the factors outlined in Tex. Occ. Code §53.023 and, subject to reasonable terms of a probationary license, demonstrated that Applicant possesses the requisite honesty, trustworthiness, and integrity to qualify to be licensed as a real estate salesperson under Tex. Occ. Code §1101.354(2).</p>			

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: 2016-17 USPAP Exposure Draft (page 1) From the Commissioner (page 2) Governor Reappoints AMC Committee Member (page 5) Proposed Rules for Adoption (page 5)

2016-17 USPAP is Already in the Works!

Proposed Revisions to USPAP for the 2016-17 Edition

Every two years The Appraisal Foundation releases a new edition of USPAP. . While the 2014-15 edition of USPAP has just become effective, as of January 1st of this year; the process of revising the 2016-17 edition of USPAP has already begun.

Prior to releasing a new edition of USPAP, appraisers are invited every two years to comment on proposed changes to USPAP through the exposure draft process and every two years the vast majority of appraisers forgo the opportunity to make their opinions know.

The purpose of this article is to encourage appraisers, and others, to review the first exposure draft in its entirety and share their thoughts to the ASB. A link is found below.

<https://appraisalfoundation.sharefile.com/download.aspx?id=s1734ec0d8744bee8>

Exposure Drafts – How the Process Works

One of the strengths of the Uniform Standards of Professional Appraisal Practice (USPAP) has been the process under which revisions are made. Some may think the Appraisal Standards Board (ASB) releases changes to USPAP every two years with little input from the profession, but nothing is further from the truth.

Every revision to USPAP now goes through an 18-month process of proposal, exposure for comment, revision and re-exposure (if necessary). One of the

keys to this process is the opportunity for *all* interested parties to comment on the desirability and utility of the changes and the impact proposed changes in USPAP might have on the appraisal profession. The exposure process is considered so important that *any* change to USPAP must go through this process before that change will become effective.

Once the comment period is over, each ASB board member will review the comments. Should they conclude the comments indicate the need for further revisions to the exposure draft (for unintended consequences, clarification of wording, a better solution is proposed or other reasons), the ASB will revise the exposure draft to reflect these changes. This revised draft would go through the same exposure process as before; and may be repeated as many times as considered necessary. The 2014-15 edition of USPAP went through three exposure drafts. Earlier versions of USPAP went through as many as five exposure drafts before the final version was completed.

The exposure process is one of the keys to making changes to USPAP. It assists The Appraisal Foundation in fulfilling their mission of protecting the interests of the public, while at the same time meeting the needs of appraisers, users of appraisal services as well as other stakeholders. As might be imagined, this can be a long and involved process; especially when the changes are substantial

Continued Page 3

It is almost time for the Appraisal Subcommittee (ASC) – the Board’s federal oversight agency – to make its biennial visit to the agency to inspect and grade our work in licensing and regulating appraisers and appraisal management companies. We are ready for their arrival on February 19th and are looking forward to demonstrating our proficiency at what we do. Because of some extraordinary efforts by the staff and Board, our complaint numbers are way down and we expect to have no complaints over one year old on the books at that time! This would be a historic first in the life of this agency. Stay tuned or the results in the next issue – or perhaps sooner by news release.

We are very pleased to have a new General Counsel and Deputy Commissioner, Kristen Worman, join the Board as of January 20th. We welcome her and look forward to a smooth transition as she takes on more responsibilities and influences the positive development of our work. For more information Ms. Worman please refer to this issue of the advisor.

The Board will meet on February 21st in Austin for its regular quarterly meeting, elect officers for the new year, and receive the ASC review report. If you are interested, we’d love to have you visit.

Please read my column in the Advisor section for details on the Strategic Planning process we will undertake this Spring. Know that appraisers and AMCs are invited to come and offer their inputs as well. We really do welcome all of your inputs as we seek new ways to serve you and the people of Texas more effectively.



Douglas E. Oldmixon

Important Dates to Remember

President’s Day—Agency Closed—Feb 17

TALCB Board Meeting—Feb 21

AARO Spring Meeting—April 11-14

This article will provide a *brief summary* of the proposed changes found in the first exposure draft. It must be stressed that this article is *NOT* intended to be a substitute for the actual exposure draft released by the ASB, but rather to encourage appraisers to review that draft and offer their opinions to the ASB regarding the type, necessity, extent and desirability of the proposed changes as well as make suggestions for additional changes.

At the same time other participants in the appraisal process; members of the public, users of our services, regulators and other interested parties will be doing the same thing. The outcome of this process is a USPAP that is better suited to meet the needs of the appraisal profession and provide a USPAP document that more usable for all concerned.

Dates and Deadlines - Next Steps

The first exposure draft was issued on January 7, 2014 and written comments are due by February 17, 2014. Oral comments will be heard at the ASB public meeting in Orlando on February 21, 2014. It is not too late to comment on the first exposure draft. Going forward interested parties may want to also review the written comments of others (comments will be available on The Appraisal Foundation's website) and prepare to comment on a second exposure draft, which is anticipated to be needed.

What is Being Proposed for Revision?

Definition of Report

Rationale

For some time the ASB has been receiving comments regarding the inadequacies of the current definition of a report. Generally these comments fall into two major categories: 1) the lack of clarity the current definition offers in determining when and how an appraiser is responsible for communications with the client, and 2) the lack of clarity related to the use of draft reports (or other, intermediate communications with the client).

The proposed changes address revision of the definition of a report, handling of corrected

reports, and preliminary communications with the client.

Both issues may result in the need for changes to the record keeping requirements.

Proposed Change

The first exposure draft contemplates removing the link between a report and the completion of the assignment and adding language incorporating other intended users into the definition.

This change would define a report as when the certification is signed by the appraiser and the report is transmitted to the client.

Communication of a *portion* of the appraiser's opinions or analysis would not be considered a report, thereby not subject to the reporting Standards or requiring a certification. The appraiser would still be required to comply with the ETHICS RULE, the COMPETENCY RULE and the JURISDICTIONAL EXCEPTION RULE.

Revisions to Communication of Assignment Results

Rationale

Over the past two revisions to USPAP the ASB has considered the need to address draft and corrected appraisal reports. As might be imagined, this subject has generated a great deal of interest and comment. The exposure process during the last two revision cycles brought to light the varied [and sometime conflicting] needs of various segments of the appraisal profession and others. Twice the extent of these differences caused the ASB to withdraw any proposed changes subject to further study and comment.

The ASB is presently proposing two different, but very similar alternatives to solve these issues. Both alternatives assume the definition of report is revised as presently proposed. Another variation being considered would be to revise the definition of a report without these other communication changes.

Proposed Changes

Revisions to Definition of Report

Proposal 1

The first alternative contemplates revision of the

definition of a REPORT and adding two new definitions; one defining a REPORT DRAFT and the second defining OTHER INTERIM COMMUNICATIONS. These changes would also detail how reports may be used, transmitted to the client (and other intended users) and provides the requirements for file retention in corresponding changes to the RECORD KEEPING RULE.

Proposal 2

This alternative also envisions changes to the definition of a report as well as a new definition of what constitutes a DRAFT. As is the case of Proposal 1, these changes would also require corresponding revisions to the RECORD KEEPING RULE, detailing use, distribution and retention.

Revisions to STANDARD 3

Rationale-Revision One-Certifications

Some items in STANDARD 3 are addressed differently than in other Standards. One of these differences is the requirement for a certification in an oral Appraisal Review Report.

Proposed Change

Standard Rule 3-5 would be revised so that in the case of an oral report it would be a requirement for the review appraiser's workfile to include a signed certification in accordance with Standard Rule 3-6.

Rationale-Revision Two-Characteristics

The language requiring the review appraiser to identify the relevant characteristics of the subject of the work, including "any ownership interest in the property that is the subject of the review (Standard Rule 3-2(d)(i)); . . ." This appears to be asking if the reviewer has an ownership interest in the work under review, while this Standard Rule is actually requiring the review appraiser to identify the property rights (if any) in the work under review.

Proposed Change

The proposed change would clarify this requirement in Standard Rule 3-2.

Retirement of All STATEMENTS ON APPRAISAL STANDARDS

Rationale

The Statements are not necessary and any requirements in the Statements can be incorporated into the RULES and STANDARDS and any guidance into Advisory Opinions and Valuation Advisories.

Proposed Changes

The ASB offers five (5) possible alternatives:

1. Leave the Statements in place;
2. Eliminate the Standards, incorporating any requirements found in the Statements into the appropriate Rule or Standards Rule;
3. Retire the Standards while developing new Advisory Opinions addressing any guidance issues presently found in the Standards;
4. Address whether a need exists for new Q&A's relating to each appropriate Standards topic (or would an Advisory Opinion be sufficient); and
5. Work in conjunction with the APB to address any topics found in Statements 2, 3, and 4 to coordinate retirement of the Statements with adoption of Valuation Advisories.

The ASB is concerned about potential unintended consequences, including, but not limited to:

1. Elimination of the Standards will negatively impact the understandability of the Standard Rules;
2. The incorporation of portions of the Standards into Advisory Opinions would hamper enforcement; and
3. Other additional (presently unidentified) adverse consequences in retiring the Standards.

Possible Topics for Subsequent 2016-2017 Exposure Drafts

1. Changes to several other definitions;
2. New and/or expanded Advisory Opinions;
3. Revisions in the Confidentiality section of the ETHICS RULE; and
4. Additional changes that have yet to be identified.

Governor Reappoints AMC Advisory Committee Member

Governor Rick Perry has reappointed public member Lawrence J McNamara of Dallas to the Appraisal Management Advisory Committee with a term set to expire January 31, 2016. Pursuant to HB 1146 passed in the 82nd legislature, the three person advisory committee is responsible for making recommendations to Texas Appraiser Licensing and Certification Board (TALCB) regarding the regulation of Appraisal Management Companies (AMCs).

Lawrence J. McNamara is an attorney at Quilling Selander Lownds Winslett Moser in Dallas. McNamara is a member of the State Bar of

Texas and the American Bar Association. He is also a member of the Dallas Bar Association Fee Disputes Committee and a fellow of the Dallas Bar Association Foundation. Mr. McNamara received his bachelors degree in History and Government from Illinois College, and his law degree from Vanderbilt University Law School.

The Board thanks the appointees for their willingness to serve on this important committee. The time and location of committee meetings will be posted on the Texas Appraiser Licensing and Certification Board website www.talcb.texas.gov.

Rule Actions for the February 21, 1014 Board Meeting

PROPOSED RULES FOR ADOPTION

The following rules were proposed at the November 22, 2013 meeting of the Board and are up for adoption at the February 21, 2014 meeting. The rules can be found on our website at <http://www.talcb.state.tx.us/ActAndRules/TALCB-Rules.asp>

22 TAC §153.11 Examinations: The amendments are proposed to simplify the requirements for additional education following three consecutive examination failures.

22 TAC §153.20 Guidelines for Revocation, Suspension, Denial of Licensure or Certification; Probationary

Licensure: The amendment is proposed to clarify that a sponsor who refuses to sign an appraiser trainee's experience log and affidavit for experience actually and lawfully acquired is subject to sanctions by TALCB.

22 TAC §153.21 Appraiser Trainees and Sponsors The amendments are proposed to implement a new Appraiser Trainee & Supervisor Course to meet the Appraisal Qualifications Board's 2015 criteria. Given these requirements, the Education Subcommittee of the Board also recommended that sponsors should no longer be allowed to designate another certified appraiser who is not approved as a sponsor to supervise a trainee.

Inspector Insight



The Texas Real Estate Inspector Committee is as an advisory committee to the Texas Real Estate Commission on matters pertaining to the licensing and regulation of real estate inspectors. The Committee recommends rules and policies that ensure inspections meet high professional standards and enhance consumer protection.

Inside this Issue: TREIC New Officers Announced (page 1) From the Administrator (page 2)

New Officers for Inspector Committee

The Inspector Committee met on February 3 and elected officers for the upcoming year. Brian Murphy was elected chair of the Committee. Mr. Murphy is from the Arlington area, where he owns and operates an inspection business and a school for inspection education. He has been an inspector member of the committee since 2009. He is a past chair of the Standards of Practice Subcommittee, overseeing the latest revisions to the Standards, and most recently served as the vice chair of the Committee. The Committee elected Steve Rinehart as its vice-chair. Mr. Rinehart is from Harker Heights and has been an inspector member of the Committee since 2011. Mr. Rinehart most recently served as the Committee secretary and chair of the SOP Subcommittee. Michael DeHart was

elected Committee secretary for the upcoming year. Mr. DeHart is from the Killeen area and has served as a public member of the Committee since 2013. He has been an active member of the Enforcement Subcommittee since his appointment.

In addition to the election of officers, the following subcommittee members were appointed by the new Chair: Enforcement Subcommittee - Brad Phillips (Chair), Greg Eakin, Michael DeHart; Education Subcommittee - Steve Rinehart (Chair), Fred Wilcox, Barbara Evans; and Standards of Practice Subcommittee - Lee Warren (Chair), Elizabeth Moya Heidelberg, Fred Willcox.

From the Administrator...

On January 1, 2014, the inspection industry saw the commencement of new Standards of Practice (SOP) and the new Standard Report form that corresponds to these requirements. While the SOP update was comprehensive, it did not change most of the fundamentals that you use every day to provide services to customers across Texas. As you continue to implement these new standards, please let us know what you think of them. Did the Inspector Committee do a good job with the update? We'd like to know.

Please read my column in the Advisor for information about the upcoming "Listening Tour" we are preparing to conduct around the state. Know that we want to have inspectors and their clients come and offer their insights into how we can improve our services to both. Thanks.

Congratulations to the new officers elected to serve this year as leaders of the Inspector

Committee. We expect they will carry on the fine traditions of public service exhibited by their predecessors. Know that you are always welcome at the working meetings of this important advisory committee. And we are working on making more of the meetings available online, both during the meeting for observation and afterwards for record-keeping and education. We really value your input to ensure this body serves the interests of the people of Texas. We welcome you to let us know how you think we are doing.



Douglas E. Oldmixon

Important Dates to Remember

President's Day—Agency Closed—February 17

TREIC Education Subcommittee Meeting - April 14

TREIC Enforcement Subcommittee Meeting - April 14

TREIC Committee Meeting— April 14