



TREC Enforcement Division
P.O. Box 12188
Austin, TX 78711-2188
512-936-3005 Fax: 512-936-3809
www.trec.texas.gov
via email: enforcement@trec.texas.gov

COMPLAINT INSTRUCTIONS

The Commission's authority is limited to taking disciplinary action against those regulated under its programs. Texas law prohibits the Commission from giving private legal advice or opinions or acting as your personal attorney. The Commission does not generally have authority to require a license holder to pay damages to another person. If you need legal advice or want to recover money, please contact a private attorney. It is unnecessary to file a complaint with the Commission to proceed with a civil suit or file for recovery from the Real Estate Recovery Trust Account or the Real Estate Inspection Recovery Fund.

Complaints the Commission investigates:

- real estate brokers and sales agents
- real estate inspectors
- approved education providers
- timeshare plans
- unlicensed activity
- easement/right-of-way agents
- those four years old or LESS

Complaints the Commission DOES NOT investigate:

- mortgage companies
- new home builders
- title companies
- sellers or buyers who are not also licensed
- commission or other disputes between license holders
- those MORE than four years old
- anything not within the Commission's jurisdiction

To file a complaint, complete ALL SECTIONS of the Complaint Form AND provide COMPLETE and LEGIBLE copies of all relevant documentation. Relevant documentation may include:

- Sales contract (front and back) - all pages and all accompanying forms and attachments
- Lease/rental agreement (front and back)
- Listing/management agreement (front and back)
- Disclosure statements (e.g. Information about Brokerage Services, Intermediary Relationship Notice, Seller's Disclosure Notice)
- Closing statement (HUD 1) or Closing Disclosure form (TRID - TILA-RESPA Integrated Disclosure)
- Multiple listing service (MLS) printout
- Appraisals
- Inspection report
- Photographs (color photographs preferred)
- Advertising
- Repair bills
- Receipts
- Canceled checks (front and back)
- Monthly statements
- Correspondence, including demand letters and e-mails
- Judgment/civil lawsuit documents (e.g. original petition, settlement documents)
- Other (describe)

DO NOT SEND ORIGINAL DOCUMENTS WITH COMPLAINT--SEND COPIES ONLY.

TEXAS LAW PROVIDES THAT COMPLAINTS CANNOT BE ACCEPTED OR PROCESSED IF NOT SIGNED.

Mail, fax, or email your complaint to TREC at the address listed on the complaint form. You will be notified that your complaint has been received. If an investigation is opened, each person against whom the complaint is filed will receive a copy of the complaint. After the investigation is concluded, the information obtained will be reviewed to determine whether there is sufficient evidence to take disciplinary action for a violation of the applicable statute or the Commission's rules. Disciplinary action could include a formal reprimand, the suspension or revocation of a license, payment of an administrative penalty, or other appropriate action. Investigations and the disciplinary process differ in complexity and duration, so providing a time of completion is not possible.



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Instrucciones

La autoridad de la Comisión esta limitada a tomar acción disciplinaria contra esos regulados bajo sus programas. La ley de Texas prohíbe que la Comisión de asesoramiento jurídico, opiniones privadas, o actuar como su abogado personal. Generalmente, la Comisión no tiene la autoridad para requerir que un portador de licencia pague daños a otra persona. Si usted necesita asesoramiento jurídico o quiere recuperar dinero, por favor llame a un abogado privado. No es necesario archivar una queja con la Comisión para poder proceder con una demanda civil o para archivar un reclamo contra la Cuenta De Fideicomiso para Recobro en Bienes Raíces ni contra el Fondo de Recobro en Inspecciones de Bienes Raíces.

Quejas que la Comisión investiga:

- corredores de bienes raíces y agente de ventas
- inspectores de bienes raíces
- proveedores de educación aprobados
- planes de multipropiedad
- actividad sin licencia
- servidumbre/agente de derecho de via
- que ocurre hace MENOS de cuatro años

Quejas que la Comisión no investiga:

- sociedades hipotecarias
- nuevos constructores de hogar
- las compañías de título
- vendedores o compradores si no tienen licencia
- comisión ni otras disputas entre concesionarios
- que ocurre hace más de cuatro años
- cualquier cosa que no es competencia de la Comisión

Para archivar una queja, completar TODAS SECCIONES de la Forma de Queja Y proporcionar copias COMPLETAS y LEGIBLES de toda documentación pertinente. La documentación pertinente puede incluir:

- Contratos de ventas (frente y atrás) - todas las páginas, formas y agregados
- Acuerdo de Arrendamiento/Renta (frente y atrás)
- acuerdo de Listando/Gestión (frente y atrás)
- las declaraciones de Revelación (por ejemplo Información sobre Servicios de Correduría, Nota Intermedia de Relación, Nota de Revelación de Vendedor)
- Declaración de Cierre (HUD 1) o forma de declaración de cierre (TRID - TILA-RESPA Integrated Disclosure)
- Copia de Anuncio de MLS
- Informe de Avalúo
- Reporte de Inspección
- Fotografías (se prefieren a color)
- Anuncios de publicidad
- cuentas de Reparación
- Recibos
- Cheques cancelados (frente y atrás)
- Estados de plazo mensuales
- Correspondencia, inclusive cartas de demanda y emails
- documentos Juicio/Civiles de pleito (petición por ejemplo original, documentos de arreglo)
- Otro (describir)

NO ENVIE DOCUMENTOS ORIGINALES CON QUEJA -- ENVIA COPIAS SOLO.

LA LEY DE TEXAS PROPORCIONA QUE QUEJAS NO PUEDEN SER ACEPTADAS NI PUEDEN SER PROCESADAS SI NO SON FIRMADAS.

Por favor, envíe por correo, fax o correo electrónico su queja a TREC a la dirección que aparece en el formulario de queja. Se le notificará que su queja ha sido recibida. Si se abre una investigación, cada persona contra la cual se presenta la queja recibirá una copia de la queja. Una vez concluida la investigación, la información obtenida determinará si existen pruebas suficientes para tomar medidas disciplinarias por una violación a estatutos aplicables o reglas de la Comisión. La acción disciplinaria podría incluir una reprimenda formal, suspensión o revocación de licencia, pago de una sanción administrativa u otra acción apropiada. Las investigaciones y el proceso disciplinario difieren en complejidad y duración, por lo que no es posible proporcionar un tiempo de finalización.



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NOTE: You may type information into this form and it will display, but you will need to print, sign and mail the form along with copies of documents to TREC when completed. Information entered into this form can only be saved if you are able to print and save the form as a PDF.

COMPLAINT FORM

IF COMPLETING BY HAND, PLEASE PRINT OR TYPE WITH BLACK OR BLUE INK

I WISH TO FILE A COMPLAINT AGAINST: (check all that apply)

- Real estate broker or sales agent
Inspector
Easement/Right-of-Way Agent
Unlicensed activity
Approved education provider
Timeshare plan

MY CONTACT INFORMATION:

Name:
Address:
City: State: Zip:
Email Address:
Phone Numbers: Work: Home: Cell: Fax:

INFORMATION CONCERNING THE PERSON OR COMPANY AGAINST WHOM YOU ARE COMPLAINING:

Person's Name:
Company Name:
Physical Address:
City: State: Zip:
Phone Number(s):
License Number or Registration Number (if known):

HAVE YOU FILED A COMPLAINT AGAINST THIS PERSON OR COMPANY WITH ANOTHER AGENCY? YES NO

IF YES, WHICH AGENCY?

WHAT ACTION HAS BEEN TAKEN BY THE OTHER AGENCY?

[Blank lines for providing details on agency and action]

DATE(S) OF TRANSACTION: _____

COMPLAINT DETAIL: List the facts of your complaint in the order of their occurrence, starting with the earliest date and working forward. Include any notification you may have sent to the company or license holder regarding this complaint and any resolutions attempts made. Attach additional sheets as needed.

PLEASE LIST THE NAME(S), ADDRESS(ES), AND PHONE NUMBERS(S) OF ANY WITNESS(ES) WHO HAVE INFORMATION CONCERNING THE SUBJECT MATTER OF YOUR COMPLAINT:

RELEVANT DOCUMENTATION CHECKLIST: (check all that are enclosed)

- Sales contract (front and back)-all pages and all accompanying forms and attachments
- Lease/rental agreement (front and back)
- Listing/management agreement(front and back)
- Disclosure statement(s) (e.g. Information about Brokerage Services, Intermediary Relationship Notice, Seller's Disclosure Notice)
- Closing statement (HUD 1) or Closing Disclosure form (TRID - TILA-RESPA Integrated Disclosure)
- Multiple listing service (MLS) printout(s)
- Appraisal(s)
- Inspection report(s)
- Photograph(s) - color photographs preferred
- Advertising
- Repair bill(s)
- Receipt(s)
- Canceled check(s) (front and back)
- Monthly statement(s)
- Correspondence, including demand letter(s) and e-mail(s)
- Judgment/civil lawsuit document(s) (e.g. original petition, settlement document(s))
- Other (describe): _____

SIGNATURE BLOCK A signature is required for TREC- to open and process your complaint.

- I certify that the information contained here and all enclosed documents are true and correct to the best of my knowledge.
- I understand that a copy of my complaint is available to the person or company against whom it is filed and that I may be required to testify at a hearing.
- I understand that a copy of my complaint and accompanying documentation is subject to public inspection.
- I understand that neither the Texas Real Estate Commission nor any of its officers or employees can act or will act as my legal representative or attorney at anytime, and that I am encouraged to retain separate legal counsel.

Signature

Date

PRIVACY NOTICE

In accordance with Chapter 559, Government Code, the following notice about certain information laws and practices is given.

- (1) **With few exceptions, an individual is entitled on request to be informed about the information that a state governmental body collects about the individual.**
- (2) **Under Sections 552.021 and 552.023 of the Government Code, the individual is entitled to receive and review the information.**
- (3) **Under Section 559.004 of the Government Code, the individual is entitled to have the governmental body correct information about the individual that is incorrect.**