

**AGENDA FOR TEXAS REAL ESTATE COMMISSION (TREC)
INSPECTOR ADVISORY COMMITTEE
STANDARDS OF PRACTICE SUBCOMMITTEE MEETING**

Conference Room 102, TREC Headquarters Office
1101 Camino La Costa, Austin, Texas

Tuesday, October 6, 2009 at 9:00 a.m. (by teleconference)

1. Call to order – *Done @ 9:01 AM, I attended the teleconference at a conference room at TREC HQ.*
2. Discussion regarding the Standards of Practice for inspectors (22 TAC §§535.227-535.233)
 - a) *Fred Willcox, the SOP sub-committee chairman, emphasized that no proposed SOP changes were on the table at this time but that the sub-committee was open to suggestions from committee members as well as ‘audience’ attendees at the meeting. There were none.*
3. Discussion and possible action to make recommendations to the full committee Regarding a commentary to the Standards of Practice for inspectors (22 TAC §§535.227-535.233)
 - a) *Fred started the discussion with suggestions for clarification, verbiage and stylistic changes to the proposed Commentary discussion of the Preamble, Definitions and then moved on to the Structural section of the Commentary.*
 - b) *After a short break the sub-committee reconvened and I posed the following question to Fred and the other sub-committee members. “The proposed Commentary was presented at the May full Inspectors Advisory Committee meeting. At that time there was a difference of opinion between TREC staff and the IAC sub-committee as to how the proposed Commentary would be implemented. Has that difference of opinion been resolved and, if so, how?”*
 - c) *Fred indicated that the sub-committee had further discussions with TREC staff and that TREC staff understood the IAC’s desire and reasons for a Commentary and agreed that work should continue on the proposed Commentary draft.*
 - d) *Fred further stated that no agreement nor understanding has been reached with TREC staff on how to implement the Commentary once it was complete.*
 - e) *Several methods of implementing the Commentary exist, each with their own pro’s and con’s. One, the Commentary could be a stand-alone document that had little to no force of law (i.e. no TREC rule) or the Commentary could be integrated into the SOP giving it more ‘enforceability’. In May, the IAC favored the first and TREC favored the latter. Other options, I’m sure, are available as well to implement the Commentary.*
 - f) *Editorial (MRB) – the Texas SOP is already the most verbose and complicated SOP of any trade association or state SOP in the world. Incorporating a behemoth Commentary into the SOP will result in massive confusion and only result in more items that TREC can find an inspector “negligent and incompetent” with. No call for ‘consumer protection’ has been made for the Commentary. A combined SOP and Commentary will be fodder for the lawyers. Actually, I’m not convinced a Commentary, either stand-alone or incorporated into the SOP, will benefit the inspector in much of any way.*
4. Request for new business agenda items
 - a) *I left the meeting prior to this topic.*
5. Adjourn