

***Texas Real Estate Commission
Chapter 535, General Provisions
Rules Adopted at the October 27, 2008 Meeting***

**Subchapter R. Real Estate
Inspectors
22 TAC §535.222**

The Texas Real Estate Commission (TREC) adopts new rule §535.222 concerning inspection reports without changes to the proposed text as published in the September 5, 2008, issue of the *Texas Register* (33 TexReg 7402), which will not be republished. The rule clarifies the inspection reporting requirements as recommended by the Texas Real Estate Inspector Committee, an advisory committee of six professional inspectors and three public members appointed by TREC. The rule clarifies that all inspections performed pursuant to an inspector license issued by TREC must be reported in writing and establishes general requirements regarding information contained in the report and delivery to the client. The rule will be effective February 1, 2009.

The reasoned justification for this rule is increased clarity for inspectors and consumers alike regarding the requirements of a written inspection report.

No comments were received regarding the new rule as proposed.

The new section is adopted under Texas Occupations Code §1101.151, which authorizes the Texas Real Estate Commission to make and enforce all rules and regulations necessary for the performance of its duties and to establish standards of conduct and ethics for its licensees in keeping with the purpose and intent of the Act to ensure compliance with the provisions of the Act.

§535.222 Inspection Reports.

(a) For each inspection, the inspector shall:

(1) prepare a written inspection report noting observed deficiencies and other items required to be reported; and

(2) deliver the report within a reasonable period of time to the person for whom the inspection was performed.

(b) The inspection report shall include:

(1) the name and license number of the responsible inspector;

(2) the name and license number of the apprentice or real estate inspector, and the signature of the inspector's sponsoring professional inspector, if applicable;

(3) the address or other unique description of the property on each page of the report; and

(4) the client's name.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on November 3, 2008.

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Effective Date: February 1, 2009