

# Texas Professional Real Estate Inspectors Association



## Texas Residential Construction Commission **NEWS**

Press Release

### Do You Perform Inspections for the TRCC ?

*If so, you should read this article!*

The following article appeared in the Houston Chronicle recently and may affect Texas Inspectors that do or have done business with the TRCC.

AUSTIN - The Texas Residential Construction Commission, highly criticized by the homeowners it was meant to protect, appears headed toward its demise because Senate lawmakers don't have the votes to keep the agency alive.

The 5-year-old commission has been accused repeatedly of offering more protections for builders than it did for homeowners, who were required to enter its inspection process before they could file a suit against builders. "I'll wave it good-by with a big smile," said Janet Ahmad of San Antonio, president of Homeowners for Better Building. Though the bill has passed the house, Sen. Glenn Hegar, R-Katy, sponsor of the senate version, said Friday he expects his bill to die because he doesn't have enough support for the agency, which was recommended for abolition last year by the staff of the Sunset Advisory Commission. "The (legislative) members have pretty well spoken, and it's probably in the public's best interest to do a systematic wind-down of the agency," Hegar said.

Agencies that are abolished typically have one year to end their operations. The author of the House bill, Rep. Ruth Jones McClendon, D-San Antonio, tried to build in some changes to protect consumers. Lacking teeth "Because we have made this a strong consumer-oriented bill, there are those who would not want to see this bill pass," McClendon said.

The TRCC was created in 2003 at the urging of home builders, who wanted a process to resolve disputes outside of court. But the agency lacked the teeth to force builders to repair defects or to compensate homeowners. "Consumers that were clamoring for the demise of this agency will find themselves with nowhere to turn," said Scott Norman, executive director of

the Texas Association of Builders.

The Sunset Commission staff report last year said the agency is "fundamentally flawed" and does more harm than good for consumers. The report said that only 12 percent of cases where the state had sent in inspectors to review alleged defects have resulted in a "satisfactory offer or repair or compensation over the life of the program." Tom Archer, president of Homeowners of Texas, said the Legislature listened to homeowners who told stories of being unable to get any help from the TRCC. "Abolishing it would be the first step toward improving the quality of new homes built in Texas," he said. Just a war zone Friday was a deadline for the bill to have been voted on by a Senate committee in order for it to be scheduled for Senate floor debate. Senate Business & Commerce Chairman Troy Fraser, R-Horseshoe Bay, said he didn't schedule the bill for a hearing because builders and consumer advocates could not agree on what to do to improve the agency. "It's been a war zone the last two years," said Fraser.

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Here are additional links that you can read more concerning this important news.

[http://www.hobb.org/index.php?option=com\\_content&task=blogcategory&id=30&Itemid=390](http://www.hobb.org/index.php?option=com_content&task=blogcategory&id=30&Itemid=390)

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