



# TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD

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L. W. (Wayne) Mayo  
Chair  
Appraiser Member  
Richardson

November 21, 2003

28

Ted Whitmer  
Vice Chair  
Appraiser Member  
College Station

Mr. Ben Henson  
Executive Director  
Appraisal Subcommittee  
Federal Financial Institutions Examination Council  
2000 K St., N.W., Suite 310  
Washington, DC 20006

Dona S. Scurry  
Secretary  
Public Member  
El Paso

Re: Your letter dated June 20, 2003

Elroy Carson  
Public Member  
Lubbock

Dear Mr. Henson

Malcolm J. Deason  
Public Member  
Diboll

Thank you for your letter of June 20, 2003. The Texas Appraiser Licensing and Certification Board (TALCB) further discussed the Appraisal Subcommittee (ASC) concerns and comments at the September 19, 2003, meeting.

Wm. A. (Rusty) Faulk, Jr.  
Public Member  
Brownsville

The TALCB is extremely concerned about the viability of the enforcement process during the FY-2004 and FY-2005 biennium. As noted in our earlier letters, state agencies have received significantly decreased appropriations for FY 2004 and FY-2005. We did not suffer the 12.5% reductions of most agencies, and an additional \$13,000 per year was appropriated for expert witnesses in the enforcement process. With this additional funding, our appropriation is approximately 7% less than the original FY-2003 level - before retirement considerations.

Larry D. Kokel  
Appraiser Member  
Georgetown

Commissioner Liner and Assistant Commissioner Barnes both retired on August 31, 2003.

Paul E. Moore  
Ex-officio Member  
Executive Secretary  
Veterans Land Board  
Austin

The associated "retirement incentives" reduced the TALCB's appropriations for both FY-2004 and FY-2005 by approximately \$35,850 (i.e., 35% of their salaries). Additionally, approximately \$12,700 will be required in FY-2004 to cover their unused "accrued vacation" lump-sum payments. In order to meet these restrictions, the TALCB was going to delay hiring a new Commissioner for a number of months and eliminating the Assistant Commissioner's position. This would have placed even more responsibility and workload on the two half-time investigators and the members of the Board.

Shirley Ward  
Appraiser Member  
Alpine

Margarita White  
Interim Commissioner

However, on a positive note, the TALCB entered into a revised Memorandum of Understanding (MOU) with the Texas Real Estate Commission (TREC) at its November 13, 2003, Board meeting. Wayne Thorburn, TREC's Administrator was designated Commissioner of the TALCB, without remuneration. The Texas Real Estate Commission is scheduled to ratify the MOU at its December 1, 2003, Commission meeting. Once both agencies have signed the MOU, and the budget is fully re-analyzed, it is the Board's intent

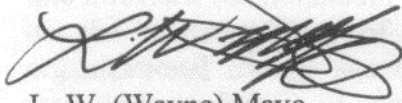
Mr. Ben Henson  
November 21, 2003  
Page 2

to hire an enforcement investigator whose function is to manage the enforcement administrative responsibilities and provide investigative assistance. We believe that this move will alleviate the complaint backlog and expedite complaint resolution time.

The TALCB by rule or procedure may not change the provisions in our Act (Chapter 1013, Occupations Code) regarding temporary practice and the specific time-frame. That issue will be brought before the next session of the legislature in January 2005. In the meantime, we will endeavor to make the extension process as smooth as possible.

We will continue to make every effort to ensure that Texas addresses your concerns and complies with Title XI mandates.

Sincerely,

A handwritten signature in black ink, appearing to read "L. W. Mayo", written over a light gray background.

L. W. (Wayne) Mayo  
Chair

Copy: Margarita White, Interim Commissioner  
Honorable Todd Staples, Texas State Senate  
Jody Wright, Legislative Budget Board  
Logan Spence, Governor's Office of Budget and Planning  
Wayne Thorburn, Texas Real Estate Commission