

TREC Advisor

Our agency protects consumers of real estate services in Texas by ensuring qualified and ethical service providers through education, licensing, and regulation. We oversee the providers of real estate brokerage, appraisal, inspection, home warranty, right-of-way services, and timeshares, thereby safeguarding the public interest while facilitating economic growth and opportunity across Texas.



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NEW CONSUMER NOTICE REQUIREMENTS EFFECTIVE FEBRUARY 1, 2016

Statutory changes made during the last legislative session authorized TREC to amend the consumer notice requirements for real estate license holders to provide greater clarity and enhanced consumer protection. The Commission adopted amendments to requirements for both the Consumer Information Form and the Information About Brokerage Services Form, (more commonly known as the IABS) at its November 2015 meeting. These changes are effective February 1, 2016.

CHANGES TO THE CONSUMER INFORMATION FORM

Brokers are currently required by law to display the [Consumer Information Form](#) in a prominent location in each place of business maintained by the broker, to inform consumers of their ability to file a complaint with TREC and the availability of the real estate recovery fund. Effective February 1, 2016, brokers will also be required to include a link to that form on the homepage of their business website. The link must be in at least 10 point font, a **readily noticeable** place on the home page and must be labeled "Texas Real Estate Commission Consumer Protection Notice."

CHANGES TO THE IABS

A new mandatory form was adopted ([TREC No. IABS 1-0](#)). The new form is organized to be easier to read and understand. Additionally, the new form requires the sales agent or broker to fill in relevant contact information before providing the form.

NOTE: This contact information is required to be filled in at all times. It is a violation to provide a blank IABS without the contact information.

License holders must provide a link to the IABS form in a readily noticeable place, in at least 10 point font and labeled "Texas Real Estate Commission Information About Brokerage Services". A sales agent or broker must also provide the form at the first substantive communication with a prospective client by one of following four methods: (1) by personal delivery; (2) by first class mail or overnight common carrier delivery service; (3) in the body of an email (; or (4) as an attachment to an email, or a link within the body of an email, with a specific reference to the IABS Form in the body of the email.

NOTE: you are not allowed to include a link to the IABS in the signature line or footnote of an email.

Information about the new TREC IABS and Consumer Protection Notice

The new IABS and Consumer Protection Notice are statutorily required forms for consumer information to help ensure that consumers of Real Estate Services better understand how a broker or agent can represent them and where to find help if they need it.



Information about Brokerage Services (IABS) Facts:

- The form should be filled out completely when it is linked to your website as well as when it is provided during the first substantive communication.
- The only change that can be made to the appearance of the mandatory form is that the contact information may be prefilled. Do not change text, font size, style or add your business logo.
- Business website means a website used to attract or conduct real estate brokerage activity, that includes a business Facebook page. For example: a website listed on a business card, yard sign or advertisements is a business website. If you have more than one business website then a link to the notice must be provided on the homepage of each business website.
- The link to the IABS must read, "Texas Real Estate Commission Information About Brokerage Services" and be in at least 10 point font in a readily noticeable place on your homepage.
- The IABS form linked to a broker's business homepage only needs to contain information about the broker, including designated broker if an entity. If it is on the sales agent's or associate's homepage then the form should be filled out with the agent's or associate's information as well. If some contact information blanks do not apply, simply fill in "N/A."
- If you are a "broker associate", your name goes on the "Sales agent/Associate" line and the contact information for the brokerage you are associated with goes on the broker line.
- If you are providing the IABS through a link in an email, the link and a specific reference to the IABS must be in the body of the email and look like the rest of the text in the body of the email (not smaller or a lighter color).

Consumer Protection Notice Facts:

- The Consumer Protection Notice is required to be posted at your place of business AND on your website. This includes a business Facebook page.
- The Consumer Protection Notice cannot be altered in any way. Do not change the font or add your logo to the notice.
- The link to the Consumer Notice must read, "Texas Real Estate Commission Consumer Protection Notice", and be in at least 10 point font in a readily noticeable place on your homepage.