

Compliance Division Report
Property Tax Consultants Advisory Council Meeting
November 1, 2017

Personnel Changes

- Compliance Program Specialist Roger Thormahlen retired from TDLR in December of 2016. Roger served as the primary program specialist for the PTC program during his time at TDLR. Russel Taulli now serves as the program's compliance specialist.

Public Outreach

- The Compliance Division is open to any opportunities for public outreach (conventions, conferences, association meetings, etc.) related to the Property Tax Consultants Program. We invite the board and others in the industry to please let us know when an opportunity arises. Please send an email to Russ.Taulli@TDLR.Texas.Gov.

PROPERTY TAX CONSULTANTS ADVISORY COUNCIL NOVEMBER 1st, 2017

CURRENT PROJECT AND UPDATES

Relocation

The Education and Examination Division is now located at the North Campus, Suite 105W.

Legislative Update

In 2015, Governor Abbott signed into law, Senate Bill 202 that transferred 13 new health services programs from DSHS to TDLR. The Education and Examination Division is responsible for overseeing the pre-licensure education, the continuing education, the examination requirements, and an inspection component for schools.

Phase I - Effective October 1, 2016

- Athletic Trainers
- Dietitians
- Dyslexia Therapists and Practitioners
- Hearing Instrument Fitters and Dispensers
- Midwives
- Orthotists and Prosthetists
- Speech-Language pathologists and Audiologist

Phase II - Effective November 1, 2017:

- Code Enforcement Officers
- Laser Hair Removal
- Massage Therapy
- Mold Assessors and Remediators
- Offender Education Providers
- Sanitarians

EDUCATION, EXAMINATION, AND SCHOOL SERVICES

New Technology

The Education and Examination Division has begun utilizing TouchPoint for emails. TouchPoint allows us to track the number of e-mails being received and answered. The goal is to be able to report work staff has accomplished. As we continue to grow as a model agency our workload and performance numbers will increase. The use of TouchPoint is a step to utilizing the effectiveness of innovation.

Total E-Mail Answered by Staff
(as of August 31, 2017)

MONTH	FY 2018	FY 2017	FY 2016	FY 2015
September		1,158	1,389	
October		1,263	1,060	
November		744	996	
December		653	760	
January		955	1,060	
February		974	1,047	
March		1,463	994	
April		981	966	
May		1,140	1,061	
June		1,747	911	
July		804	767	835
August		1,266	1,123	1,104
TOTAL		13,148	12,134	1,939

The Examination Review Committee

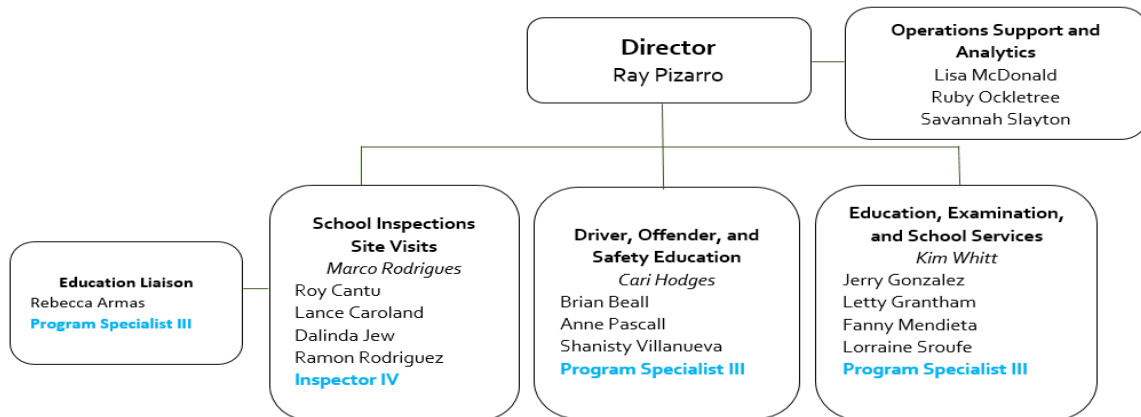
We will be having an exam review meeting for PTC November 30, 2017 in Austin. The purpose of the meeting will be to review items and add additional items to augment the item bank.

PERSONNEL UPDATES



On September 1st, we welcomed Lisa McDonald to E&E from Compliance. Lisa has been with the TDLR for 9 years. During that time, Lisa worked in the Compliance Division as a Program Specialist. Lisa has performed highly complex and technical assistance work on many programs, such as Service Contract Providers, Property Tax Professionals, Property Tax Consultants, Polygraph Examiners, Professional Employer Organizations, For-Profit Legal Services, etc., just to name a few.

DIVISION CHART



PROPERTY TAX CONSULTANT STATISTICS AND TRENDS

EXAMINATIONS

FY 2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Fail	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
Total	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	4
Rate	25.0%	0.0%	0.0%	25.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	25.0%

FY 2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	6	5	6	17	11	12	9	32	25	17	16	58	8	5	5	18	125
Fail	10	5	9	24	10	7	1	18	8	14	18	40	16	5	10	31	113
Total	16	10	15	41	21	19	10	50	33	31	34	98	24	10	15	49	238
Rate	37.5%	50.0%	40.0%	41.5%	52.4%	63.2%	90.0%	64.0%	75.8%	54.8%	47.1%	59.2%	33.3%	50.0%	33.3%	36.7%	52.5%

FY 2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	7	2	5	14	17	17	33	67	18	15	11	44	15	4	2	21	146
Fail	11	6	2	19	7	13	21	41	18	19	9	46	19	7	6	32	138
Total	18	8	7	33	24	30	54	108	36	34	20	90	34	11	8	53	284
Rate	38.9%	25.0%	71.4%	42.4%	70.8%	56.7%	61.1%	62.0%	50.0%	44.1%	55.0%	48.9%	44.1%	36.4%	25.0%	39.6%	51.4%

CONTINUING EDUCATION

FY 2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
TOTAL COURSES	36	0	0	36	0	0	0	0	0	0	0	0	0	0	0	0	36

FY 2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	0	3	2	5	0	8	2	10	5	3	2	10	2	6	2	10	35
TOTAL COURSES	26	30	31	31	30	34	33	33	32	33	34	34	34	33	34	34	34

FY 2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	0	1	1	2	1	4	5	10	4	0	3	7	2	5	3	10	29
TOTAL COURSES	25	24	24	24	24	24	26	26	23	23	26	26	26	27	28	28	28

EXAMINATION PASS/FAIL RATES BY LICENSE TYPE

FY 2018	PASS	FAIL	TOTAL	RATE
PTC – Senior	0	0	0	0.00%
PTC	1	3	4	25.00%
PTC – Attorney	0	0	0	0.00%
Total	1	3	4	25.00%

FY 2017	PASS	FAIL	TOTAL	RATE
PTC – Senior	16	10	26	61.54%
PTC	107	102	209	51.20%
PTC – Attorney	2	1	3	66.67%
Total	125	113	238	52.52%

FY 2016	PASS	FAIL	TOTAL	RATE
PTC – Senior	21	20	41	51.22%
PTC	101	111	212	47.64%
PTC – Attorney	2	1	3	66.67%
Total	124	132	256	48.44%

Property Tax Consultants
Advisory Council

Enforcement Division Staff Report
November 1, 2017

Case Highlights

- On October 23, 2013, an Agreed Order was issued against Ryan Ray assessing an administrative penalty in the amount of \$250 for failing to maintain proper client records, specifically, failure to retain the client's notice of cancellation.
- On April 24, 2014, an Agreed Order was issued against Verquan D. Kimbrough d/b/a Kimbrough Partners assessing an administrative penalty of \$1,000 for representing an individual after their contractual relationship had ended.
- On March 20, 2015, an Agreed Order was issued against Robert Lee Morris Jr. assessing an administrative penalty of \$3,000 for furnishing inaccurate, deceitful or misleading information to a client. Specifically, the Respondent told the client he had filed their tax protest and worked it through the system without resolution. This was a misrepresentation as the Respondent withdrew the request for a formal hearing in front of the County Appraisal Review Board.
- On March 28, 2016, two Agreed Orders were issued against Patrick O'Connor. The first assessed an administrative penalty of \$2,500 for engaging in false or misleading conduct with respect to client solicitation through an agent form. The agent form used by the Respondent allowed the client to choose an end date for the contract/agency, which in this case the client did designate an end date, however the Respondent refused to honor that election and continued to represent the client claiming that a thirty day notice was still required for the contract to be cancelled. The second Agreed Order assessed an administrative penalty of \$1,500 for failure to represent client at protest hearing after previously contracting to do so. Both violations were second offenses for this Respondent.
- On June 6, 2016, a Default Order involving two separate matters was issued against Victor Reyes III assessing an administrative penalty of \$4,000 for two violations of performing property tax consulting services for compensation without first having registered with the Department.

Key Statistics – Fiscal Years 2017 and 2016

Shown below are key statistics for the Property Tax Consultants program and for all TDLR programs combined for Fiscal Year 2017.

<u>Statistic</u>	<u>PTC</u>	<u>TDLR</u>
• Number of cases opened:	10	12,054
• Number of cases resolved:	14	12,405
• Number of Agreed Orders:	0	2,309
• Total amount of penalties assessed:	\$0	\$5,250,179
• Total amount of penalties collected:	\$0	\$2,571,951

Shown below are key statistics for the Property Tax Consultants program and for all TDLR programs combined for Fiscal Year 2016.

<u>Statistic</u>	<u>PTC</u>	<u>TDLR</u>
• Number of cases opened:	19	11,305
• Number of cases resolved:	22	12,314
• Number of Agreed Orders:	2	2,391
• Total amount of penalties assessed:	\$8,000	\$5,743,465
• Total amount of penalties collected:	\$5,250	\$2,749,020

**Property Tax Consultant Recent Developments
Advisory Board Meeting
November 1, 2017**

Effective September 1, 2017 the Property Tax Consultant (PTC) program was transferred to the Blazers team.

The process to receive a license remains the same; however, a different team of License & Permit Specialist are responsible for the application reviews and issuance of the licenses.

In addition to the PTC program, this team is also responsible for Property Tax Professionals, Boiler AIA's & Inspectors, Cat & Dog Breeder, and Elevator programs.

Property Tax Consultant Licensing Statistics
Advisory Board Meeting
November 1, 2017

	FY '17	FY '10	FY '09
Senior Property Tax Consultant			
New Licenses Issued	34	53	32
Renewed Licenses Issued	664	592	549
Total License Popoulation	726	642	605
Property Tax Consultant			
New Licenses Issued	167	207	253
Renewed Licenses Issued	805	714	636
Total License Popoulation	1006	917	898
Real Estate Property Tax Consultant			
New Licenses Issued	0	0	0
Renewed Licenses Issued	16	19	21
Total License Popoulation	16	20	21
Combined			
New Licenses Issued	201	260	285
Renewed Licenses Issued	1485	1325	1206
Total License Popoulation	1748	1579	1524

FY '09

33
553
588

288
488
806

0
23
21

321
1064
1415