

Compliance Division Report

TAX PROFESSIONAL ADVISORY COMMITTEE MEETING

June 15, 2017 at 9:00 a.m.

Compliance Division

a. Personnel changes. Compliance Program Specialist Roger Thormahlen retired from TDLR in September 2016. Roger served as the primary program specialist for the PTP program during his time at TDLR. Russel Taulli now serves as the program's compliance specialist. Lisa McDonald serves as an additional program specialist for the program.

b. Overview of the Methods and Assistance Program. Each year, the Comptroller of Public Accounts assesses how well Central Appraisal Districts (CADs) perform their tax collecting and appraisal duties. This is known as the Methods and Assistance Program or MAP. The MAP review includes recommendations that will allow an appraisal district to comply with laws, rules, regulations, appraisal practices or best operating practices in property taxation.

After the review, each CAD has one year to work with the Comptroller to resolve any outstanding MAP recommendations. If an appraisal district has unresolved recommendations after one year, they are referred to TDLR. TDLR will then work with each CAD to resolve the outstanding issues.

In January 2017, the Comptroller's office referred four CADs to TDLR: Hardin, Medina, Sabine, and Karnes County. Compliance staff is currently assisting these districts in meeting the requirements of MAP.

TEXAS TAX PROFESSIONAL ADVISORY COMMITTEE



June 15, 2017

CURRENT PROJECTS

Education and Examination has gone through a change, we have relocated to the North Campus, Suite 105W. We have added more staff and made some changes in employees' functions. Don Dudley retired in 2014 and Ray Pizarro became the new director.

We now have 3 sections ...

- Education and School Services – Accreditation & Certification
- Driver Education and Safety
- School Inspections/Site Visits

Each section projects and updates will be included in the report.

In 2015, the Governor signed into law HB 1786, transferring the Driver & Traffic Safety Education from TEA and the Parent Taught Program from DPS to TDLR, effective September 1, 2015.

Also, signed into law, Senate Bill 202 that transferred 13 new 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.

Transfer of the Health Services Programs - Phase I

The following programs came to TDLR from the Department of State Health Services (DSHS) as authorized by Senate Bill 202, 84th Regular Session, on October 1, 2016:

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

Transfer of the Health Services Programs- Phase II

The following programs will come to TDLR from the Department of State Health Services (DSHS) as authorized by Senate Bill 202, 84th Regular Session, on November 1, 2017:

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

- Sanitarians

Our staff is diligently working to become familiar with each new program.

Education and School Services – Accreditation & Certification

Examination Updates – New Programs

With the new programs, we have added new examinations, most of the new programs have a national examination or a Jurisprudence Examination.

Examination Review Committee

On November 12, 2015, the Exam Support Staff met with the ERC to review the examination.

Subject Matter Experts

We are in the process of creating the application for Property Tax Professional Subject Matter Experts. Once the application is completed, it will be posted on the PTP webpage. We will need SMEs’ to assist with examination development. We hope to have the committee set for Fall meetings.

Continuing Education Course Completion Record Fees

CE Completion Fees Totals Invoiced for fiscal year \$1,138,315.00
 Total Payments Received for fiscal year \$ 990,535.00
Current Balance Due (as of April 30, 2017) **\$ 147,781.00**

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 April 30, 2017)

MONTH	FY2017	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	
TOTAL	8,191	8,272	0

Driver Education and Safety

The Driver Education and Safety Section is a new section in the division and is responsible for reviewing and approving curriculum for driver education schools, course providers, parent taught course providers, school application and renewals.

Community Outreach

On May 2nd-3rd, Cari Hodges, DES Team Lead and Ray Pizarro, E&E Director spoke at the Instructor Development Workshop in Lubbock.

Cari Hodges spoke at the Texas Driver Traffic Safety Education Association (TDTSEA) 51st annual conference in Huntsville.

We also want to congratulate Cari on receiving her certificate for completing the Education Service Center Region 6 Instructor Development Course.

New DES Search Tool

We have a new DES search tool that will allow consumers to search for a driver education school, driving safety school, course provider, parent taught course provider, or search for an instructor.

School Inspections/Site Visits

The School Inspections/Site Visits Section is new to our division. Marco Rodriguez is the Team Lead with four Field Inspectors and an Education Liaison who conduct School Site Visits upon a school's request.

School Site Visit

A school may request a Site Visit when there is a new school director or instructor, if a school wants to know what to expect during a school inspection and/or if they have questions on curriculum development. We observe and gather data to evaluate the school's performance and best practices. Our goal is to facilitate a mutually beneficial experience providing the school guidance to ensure understanding and compliance with all State Laws and Rules.

PERSONNEL UPDATE



Ray Pizarro



Ruby A. Ockletree



Lorraine Sroufe



Jerry Gonzalez



Frances M. Pringle



Cari Hodges



Shanisty Villanueva



Brian Beall



Anne Pascall



Marco Rodriguez



Rebecca Armas



Dalinda Jew



Roy Cantu

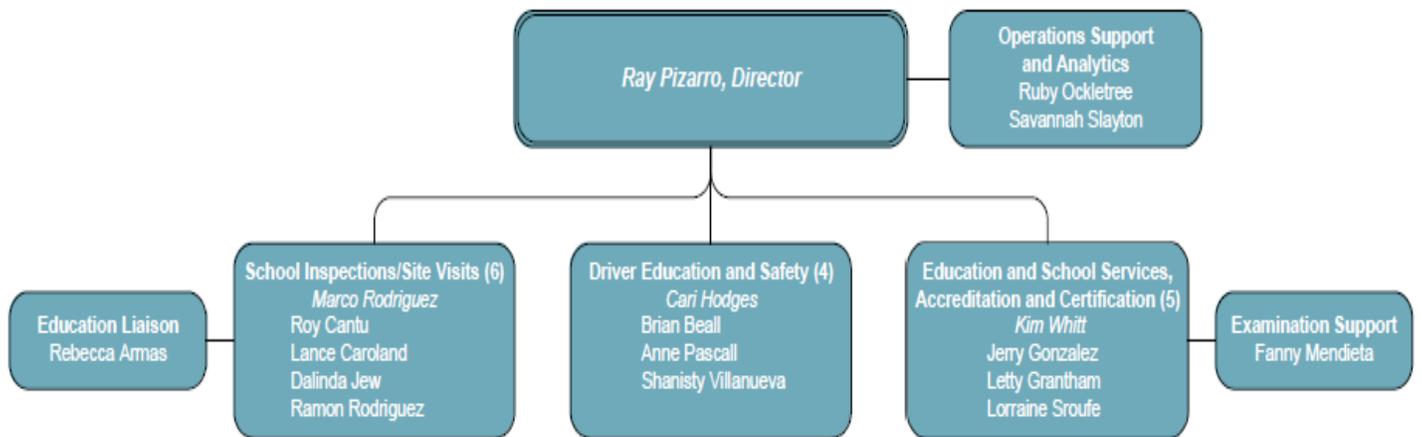


Ramon Rodriguez



Lance Caroland

EDUCATION AND EXAMINATION DIVISION CHART



EDUCATION AND EXAMINATION STATISTICS AND TRENDS

EXAMINATION STATISTICS (AS OF APRIL 30, 2017)

FY 2017 ALL		SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PTP	Pass	30	55	49	134	39	26	34	99	32	61		93				0	326
	Fail	16	45	37	98	26	19	27	72	31	39		70				0	240
	Subtotal	46	100	86	232	65	45	61	171	63	100	0	163	0	0	0	0	566
	Rate	65.2%	55.0%	57.0%	57.8%	60.0%	57.8%	55.7%	57.9%	50.8%	61.0%	0.0%	57.1%	0.0%	0.0%	0.0%	0.0%	57.6%
	No Show	1	1	2	4	1	1	2	4	2	4		6				0	14
	Total	47	101	88	236	66	46	63	175	65	104	0	169	0	0	0	0	580

FY2016		SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PTP	Pass	12	26	62	100	35	22	11	68	33	37	13	83	9	6	18	33	284
	Fail	18	15	16	49	15	16	15	46	23	20	11	54	11	10	21	42	191
	Subtotal	30	41	78	149	50	38	26	114	56	57	24	137	20	16	39	75	475
	Rate	40.0%	63.4%	79.5%	67.1%	70.0%	57.9%	42.3%	59.6%	58.9%	64.9%	54.2%	60.6%	45.0%	37.5%	46.2%	44.0%	59.8%
	No Show	0	1	1	2	2	3	0	5	0	0	1	1	1	2	1	4	12
	Total	30	42	79	151	52	41	26	119	56	57	25	138	21	18	40	79	487

FY 2015 ALL		SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PTP	Pass	28	26	20	74	33	35	45	113	38	13	10	61	4	22	31	57	305
	Fail	9	12	16	37	26	24	29	79	22	11	13	46	9	18	20	47	209
	Subtotal	37	38	36	111	59	59	74	192	60	24	23	107	13	40	51	104	514
	Rate	75.7%	68.4%	55.6%	66.7%	55.9%	59.3%	60.8%	58.9%	63.3%	54.2%	43.5%	57.0%	30.8%	55.0%	60.8%	54.8%	59.3%
	No Show	2	1	2	5	1	0	5	6	0	0	1	1	2	1	0	3	15
	Total	39	39	38	116	60	59	79	198	60	24	24	108	15	41	51	107	529

**CONTINUING EDUCATION COURSE, PROVIDER, AND CURRICULUM STATISTICS
(AS OF APRIL 30, 2017)**

FY17 PROPERTY TAX PROFESSIONALS (743)	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
TOTAL COURSES (END OF MONTH)	908	915	916	916	920	897	913	913	902	931	0	931	0	0	0	0	931

FY16 PROPERTY TAX PROFESSIONALS (743)	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
TOTAL COURSES (END OF MONTH)	862	892	935	935	905	848	899	899	874	900	836	836	855	890	915	915	915

FY15 PROPERTY TAX PROFESSIONALS (743)	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
TOTAL COURSES (END OF MONTH)	850	804	852	852	865	855	778	778	797	795	743	743	803	835	846	846	846

TEXAS TAX PROFESSIONAL ADVISORY COMMITTEE

Enforcement Division Staff Report

June 15, 2017

Case Highlights

- PTP20120004212 – On November 6, 2013, a default order was entered against Danny L. Fling assessing a penalty of \$300 for performing activities of a Property Tax Professional Appraiser at a time when his license was expired as his appraiser license, license number 72463, had expired on December 21, 2011. The license was not renewed until March 6, 2012.
- PTP20140008374 – On July 15, 2014, a default order was entered against Danny L. Fling revoking his Property Tax Professional Appraiser license for his failure to pay the penalty resulting out of the previously mentioned case, PTP20120004212.
- PTP20150011210 – On October 12, 2015, an agreed order was issued against Jan D. Swaab assessing a penalty of \$1,500 for using materials not authorized by the Department, specifically using prepared study notes, during the property tax appraiser examination.
- PTP20140012278 – On December 3, 2015, a default order was issued against Rene A. Garza assessing a penalty of \$1,500 for engaging in an abuse of power that was dishonest, misleading and/or fraudulent by writing unauthorized county checks to himself and others totaling approximately \$300,000 at a time when the Mr. Garza was acting as the County Chief Appraiser for Duval County.

Statistics for Property Tax Professional Program (Since Inception)

- Cases Opened – 336
- Cases Closed Informally – 259
- Cases Closed by Statute Change – 5
- Warning Letters Issued – 7
- Cases Closed with Disciplinary Action – 15
 - Agreed Orders – 8 (five penalties totaling \$5,750, three revocations)
 - Default Orders – 4 (two penalties totaling \$1,800, two revocation)
 - Revocation by Operation of Law – 1
 - Commission Orders – 2 (Department relief denied; rehearing request ended by statute change)
- Evaluation Letter Requests – 18
- Cases Pending – 32

Key Statistics – Fiscal Year 2017

Shown below are key statistics for the Property Tax Professional program and for all TDLR programs combined through April of Fiscal Year 2017.

<u>Statistic</u>	<u>PTP</u>	<u>TDLR</u>
• Number of cases opened:	26	8,361
• Number of cases resolved:	34	7,959
• Number of Agreed Orders:	0	1,594
• Total amount of penalties assessed:	\$0	\$3,771,509
• Total amount of penalties collected:	\$0	\$1,642,258

PTP ADVISORY BOARD STATISTICAL REPORT
Licensing Division
June 15, 2017

	FY17	FY 16	FY15	FY14	FY13
APPRAISER					
New Licenses Issued	210	284	300	51	257
Renewed Licenses Issued	1,676	2,602	2,416	482	2,229
* Total Population	2,780	2,691	2,652	2,587	2,561
COLLECTOR					
New Licenses Issued	8	24	19	8	49
Renewed Licenses Issued	142	168	159	33	295
* Total Population	179	187	178	183	182
ASSESSOR/COLLECTOR					
New Licenses Issued	38	53	48	6	68
Renewed Licenses Issued	286	564	549	116	863
*Total Population	608	604	613	626	634

*The population number is a snapshot of the number of active licenses on the last day of the month.

The number of licenses issued and renewed is the total activity performed during the fiscal year.