

FROM THE OFFICE OF
STATE REPRESENTATIVE RUTH JONES MCCLENDON

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**Representative McClendon Urges
Completely Overhauling TRCC**

(San Antonio) -- State Representative Ruth Jones McClendon (D-District 120, San Antonio) filed legislation last Session to increase the protections for homeowners contracting for home improvements and construction, by strengthening the original legislation that created the Texas Residential Construction Commission (TRCC) in 2003. This week, however, the Sunset Advisory Commission (SAC) released its staff report, recommending that the agency be abolished. Although McClendon serves on the SAC, she is not ready to abolish the agency at this point.

"I agree with many of the Sunset commission recommendations, but come far short of being ready to shut down the Texas Residential Construction Commission. Adequate consumer protections are still desperately needed, as well as meaningful regulation of builders and home improvement contractors. In fact, the Commission should be completely overhauled and provided with even stronger legislative and regulatory authority needed to address these concerns. Homeownership is a mainstay of family life for Texans, and homebuilding and remodeling are a large part of the building industry. Therefore, meaningful statutory tools for regulation and enforcement must be in place to protect both consumers and builders. That is the future we need to envision for the TRCC."

Agency activities since last year have shown a trend toward decreasing the number of lawsuits against builders, due to successful resolution of disputes through a voluntary inspection review and recommendation process. In addition, municipalities across the state have begun implementing the TRCC registration requirements before issuing building permits on those projects which require registration. These activities went a long way in providing public protection, however, "the changes did not go far enough," said McClendon. McClendon agrees with the Sunset Commission Advisory Report which states that "builders would benefit from having quality standards applied equally to everyone, and excluding unqualified and unscrupulous builders who discredit the field."

Representative McClendon's original proposal, House Bill 1686, was combined with House Bill 1038, which became law last year, after a nearly unanimous vote in the House and Senate. The purpose was to protect homeowners, in particular senior citizens, by requiring the majority of home remodeling and building contractors to register with the Texas Residential Construction Commission (TRCC) and be subject to its oversight. The 2007 legislation was intended to enhance the ability of the TRCC to resolve disputes between homeowners and builders, and to help consumers verify those builders registered with the TRCC in choosing their contractors. In turn, the 2007 legislation was meant to help reputable builders maintain successful businesses by cutting back on competition from unreliable builders.

Representative McClendon said, "Most builders and remodeling contractors are reputable business men and women. For those who are not, we must put more teeth in the law passed last year, so that homeowners and builders can be protected." In addition, Representative McClendon emphasized, "There have been too many horror stories of contractors who have taken money from elderly homeowners and left the job half-done, or not done at all. The legislation we passed last year was a good start, but more legislative improvements need to be made so the agency can stop those kinds of scams."

Representative McClendon serves on the House Committees on Appropriations and Pensions & Investments. Additionally, she is Chair of the House Committee on Rules & Resolutions. She also serves on the Sunset Advisory Commission, which oversees all agencies under the auspices of the State of Texas. ~ 30 ~