Agent Training Sunday, October 22nd, 2023 6:00pm – 6:50pm



AGENDA

6:00pm – Agent Updates

6:10pm - Kim Palmer - Fidelity National Title

6:30pm – TREC Form Updates

6:35pm – New MUD/Utility District Guidelines

6:43pm - TREC Agent Contact Information change

6:46pm – Importance of Dates and # of Days on Contracts

6:50pm – Comments / Questions?

Agent Introductions/Quick Stories

Quick agent introduction roundtable so our guest speaker can meet everyone



Kim Palmer

Fidelity National Title

Business Development Manager

Fidelity National Title-Pasadena

Direct: 720.220.1926

Email: kim.palmer@fnf.com

6:30pm

Updated September 2023

ΓREC	SELLER'S	DISCLOSURE NOTICE		EQUAL
AND WERE EDINIE COMMISSION				
ONCERNING THE PROPERTY AT		(Street Address ar	Jes.	
HIS NOTICE IS A DISCLOSURE OF SELL ELLER AND IS NOT A SUBSTITUTE FOR A PARRANTY OF ANY KIND BY SELLER OR	ANY INSPECTION SELLER'S AGENT	E OF THE CONDITION OF T IS OR WARRANTIES THE PUR S.	HE PROPERTY AS OF CHASER MAY WISH T	O OBTAIN. IT IS N
eller 🔲 is 🔲 is not occupying the Pro . The Property has the items checked b	operty. If unoccu elow [Write Yes	ipied, how long since Seller (Y), No (N), or Unknown (U)]:	has occupied the Pro	perty?
Range	Oven		Microwave	
Dishwasher	Trash Co	mpactor	Disposal	
Washer/Dryer Hookups	Window	Screens	Rain Gutters	
Security System	Fire Dete	ction Equipment	Intercom Syste	em
S - 78	Smoke D	etector		
	Smoke D	etector-Hearing Impaired		
	Carbon N	Monoxide Alarm		
	Emergen	cy Escape Ladder(s)		
TV Antenna	Cable TV		Satellite Dish	
Ceiling Fan(s)	Attic Fan	(25)	Exhaust Fan(s)	
Central A/C	Central H	Maria -		Air Conditioning
Plumbing System	Septic Sy		Public Sewer S	
Patio/Decking	Outdoor	25	Fences	,
Pool	Sauna		Spa	Hot Tub
Pool Equipment Fireplace(s) & Chimney (Wood burning)	Pool Hea	ter	1000 Tonggar and a	
Natural Gas Lines			Gas Fixtures	
Liquid Propane Gas: Li	Community (Ca	aptive) LP on Propert	,	
Fuel Gas Piping: Black	ron Pipe	Corrugated Stainless Steel T	ubing Copper)
Garage: Attached	NOT Attac	ched Carpor		
Garage Door Opener(s): Elec	tronic	Control(s)		
Water Heater: Gas	8	Electric		
Water Supply: City	,	Well	MUD	Co-
Roof Type:		Age:		(approx.)
Are you (Seller) aware of any of the		are not in working conditions, then describe. (Attach add		

TREC Form Updates

Seller's Disclosure Notice

TREC No. 55-0

What changed? Sellers must disclose the type of piping used for gas supply lines—black iron pipe, copper, or corrugated stainless steel tubing (CSST).

How will sellers know what type of piping they have? They may not know and can indicate "unknown" on the notice. Inspectors have been required to note the type of fuel gas piping on their reports <u>since 2022</u>, so it may take time, but more people will have access to this information as more inspections are completed.

Where is the revised form? The new version of the *Seller's Disclosure Notice* is <u>available online</u> and should be used for contracts executed on or after September 1, 2023.

Consumer Protection Notice



Legislation passed by the 88th Texas Legislature requires the Texas Real Estate Commission to update two frequently used forms: the *Consumer Protection Notice* and the *Seller's Disclosure Notice*.

Consumer Protection Notice

What changed? It no longer references the real estate inspection recovery fund, which was repealed this session.

Who does this affect? Real estate brokers, sales agents, inspectors, and easement or right-of-way (ERW) agents must provide the Consumer Protection Notice by posting it online and at their place of business.

Where is the new form? It is on TREC's website.

How do I provide the form? If you link to the <u>form on TREC's website</u>, you will not have to update your online notice because it is uploaded to the same URL. If you do not link to the form on our website (e.g., you have a PDF version or host the form on your own website), you will have to upload the new form by September 1.

You are also required to print the new form for posting in your place of business.

Agents should have a link to this and the IABS in the email signature and on their website / social media pages

THE TEXAS REAL ESTATE COMMISSION (TREC) REGULATES

REAL ESTATE BROKERS AND SALES AGENTS, REAL ESTATE INSPECTORS,

EASEMENT AND RIGHT-OF-WAY AGENTS,

AND TIMESHARE INTEREST PROVIDERS

YOU CAN FIND MORE INFORMATION AND CHECK THE STATUS OF A LICENSE HOLDER AT

WWW.TREC.TEXAS.GOV

YOU CAN SEND A COMPLAINT AGAINST A LICENSE HOLDER TO TREC
A COMPLAINT FORM IS AVAILABLE ON THE TREC WEBSITE

TREC ADMINISTERS THE REAL ESTATE RECOVERY TRUST ACCOUNT WHICH MAY BE USED TO SATISFY A CIVIL COURT JUDGMENT AGAINST A BROKER, SALES AGENT, OR EASEMENT OR RIGHT-OF-WAY AGENT, IF CERTAIN REQUIREMENTS ARE MET.

REAL ESTATE INSPECTORS ARE REQUIRED TO MAINTAIN ERRORS AND OMISSIONS INSURANCE TO COVER LOSSES ARISING FROM THE PERFORMANCE OF A REAL ESTATE INSPECTION IN A NEGLIGENT OR INCOMPETENT MANNER.

PLEASE NOTE: INSPECTORS MAY LIMIT LIABILITY THROUGH PROVISIONS IN THE CONTRACT OR INSPECTION AGREEMENT BETWEEN THE INSPECTOR AND THEIR CLIENTS. PLEASE BE SURE TO READ ANY CONTRACT OR AGREEMENT CAREFULLY. IF YOU DO NOT UNDERSTAND ANY TERMS OR PROVISIONS, CONSULT AN ATTORNEY.

IF YOU HAVE QUESTIONS OR ISSUES ABOUT THE ACTIVITIES OF
A LICENSE HOLDER, THE COMPLAINT PROCESS, OR THE
RECOVERY TRUST ACCOUNT, PLEASE VISIT THE WEBSITE OR CONTACT TREC AT



P.O. BOX 12188
AUSTIN, TEXAS 78711-2188
(512) 936-3000

Updated in June 2023



PROMULGATED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

05-16-2023

DISCLOSURE OF RELATIONSHIP WITH CONTRACT PROVIDER OR ADMINISTRATOR

RESIDENTIAL SERVICE CONTRACTS. A residential service contract is a product under which a residential service contract provider or administrator (Provider), for a fee, agrees to repair or replace certain equipment or items in a property. Co-payments typically apply to most service calls. Providers are licensed and regulated by the Texas Department of Licensing and Regulation. The extent of coverage and the cost of coverage will vary. Before buying a residential service contract, the buyer should read the contract and consider comparing it with the extent of coverage and costs from several other Providers. YOU MAY CHOOSE ANY PROVIDER.

THE PURCHASE OF A RESIDENTIAL SERVICE CONTRACT IS OPTIONAL. The TREC promulgated residential contract forms contain a paragraph in which the parties may negotiate whether the seller will reimburse the buyer the cost of a residential service contract. The choice of the Provider and extent of coverage lies with the buyer. NEITHER A BROKER/SALES AGENT NOR A SELLER MAY CONDITION THE SALE OF A PROPERTY ON THE BUYER'S PURCHASE OF A RESIDENTIAL SERVICE CONTRACT.

Other Broker/Sales Agent compensation from a Provider.		Listing Broker/Sales Age compensation from a Provide	
Other Broker/Sales Agent re from the following Provider:	ceives compensation	Listing Broker/Sales Agent re from the following Provider:	ceives compensation
for providing the following serv	ices:	for providing the following ser	vices:
provides to the company. As requ	ne services that Listin uired by the Real Est	g Broker or Other Broker, either direct ate Settlement Procedures Act and lother because act	tly or through an agent
from the Provider. The compensation is the fee for the provides to the company. As required to the company in the fee for the provides to the company.	ne services that Listin uired by the Real Est	g Broker or Other Broker, either direc ate Settlement Procedures Act and i o the reasonable value of services ac	tly or through an agent
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TREC payments received from a residential contract provider of acceptance of 12188, Austin, TX 78711-2188, (512) 936-3000 (http://www.trec.texas.gov) RSC-4. apsyments received from a residential contract provider or administrator. Texas Real Estate Commission, P.O. Box

New Form in August 2022

TOEC

APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

LANDLORD'S FLOODPLAIN AND FLOOD NOTICE



TIME C	NOTICE: For Use With a Residential Lease, Including a Temporary Residential Lease	SPORTURITY
CONCERNI	NG THE PROPERTY AT:(Street Address and City)	
If neither dwelling Emergen searchab tenant in	I ☐ is ☐ is not aware that the dwelling you are renting is located in a 100-year robox is checked, you should assume the Property is in a 100-year floodplain. is not in a 100-year floodplain, the dwelling may still be susceptible to flooding. incy Management Agency (FEMA) maintains a flood map on its Internet web ole by address, at no cost, to determine if a dwelling is located in a flood hazard insurance policies do not cover damages or loss incurred in a flood. You see coverage that would cover losses caused by a flood.	Even if the The Federal site that is area. Most
B. Landlord last five	\square is \square is not aware that the dwelling you are renting has flooded at least once years.	within the
C. For purpo	oses of this notice:	
perce	-year floodplain" means any area of land designated as a flood hazard area ent or greater chance of flooding each year by the Federal Emergency Managem er the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).	
(a) th (b) th so (c) ex (3) "Dwe	ling caused by: he overflow of inland or tidal waters; he unusual and rapid accumulation of runoff or surface waters from any establi- ource such as a river, stream, or drainage ditch; or xcessive rainfall. elling" means one or more rooms rented for use as a permanent residence under to one or more tenants.	
Landlord	Date Landlord	Date
The undersig	gned Tenant hereby acknowledges receipt of the foregoing notice. Date Tenant	Date
CHUIL	Date Female	Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code §92.0135 and is to be used in conjunction with a residential lease, including a temporary residential lease, entered into or renewed on or after January 1, 2022. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (http://www.trec.texas.gov) TREC NO. 54-0

What is a MUD?

What is the difference and what should a realtor know?

When a property is located in a PUD, MUD or PID there are disclosures that are required of the transaction and failure to obtain that disclosure can result in termination of the contract or even a monetary penalty.

MUD: Municipal Utility District

A MUD is a district created under the Texas Water Code or by an act of the legislature to provide certain utilities such as water, sanitary sewer, drainage and flood control, and any of these services or facilities have been financed with bonds that are payable by the persons who live in the district.

Chapter 49 of the Texas Water Code requires a person selling a property that is in a MUD to give notice to the buyer of those potential fees for owning this property. This same law states that the notice must be given to the buyer prior to the buyer entering into the contract OR as an addendum to the contract at the time the contract is negotiated. If the notice is not timely provided, the buyer can terminate the contract at any time.

MUDs are often collected through a homeowner's property tax bill.

What is a PUD?

PUD: Public Utility District

A PUD is created by the community and generally operates under a board, similar to how a homeowner's association works. This PUD is created for the sole purpose of providing electricity, water, sewer and telecommunications to a subdivision.

PID: Public Improvement District

A PID is similar to a MUD in that it can be used for subdivision infrastructure items, but it can also be used for additional items like landscaping, parks, sidewalks, roadways and public safety items. These districts are provided for in Chapter 372 and 382 of the Local Government Code.

Where a PID differs from a MUD is that the PID is not a political entity. A PID is funded through bonds

secured by liens against the property and once issued, the bonds are paid back by way of a special assessment. These assessments are typically levied for a set number of years.

Tips for Realtors

It is important to keep in mind that a disclosure for each of these matters is required to be signed before the contract is executed. The TREC contracts have been modified (effective now, mandatory for use 2/1/2023) to provide a space to list all disclosures previously provided:

(11)REQUIRED NOTICES: The following notices have been given or are attached to this contract (for example, MUD, WCID, PID notices):

Failure to have these provided prior to closing can result in a painful outcome, so real estate agents should always make sure the appropriate forms are getting filled out. UPDATE (August 18, 2023): Please read the latest update on changes to the MUD Notices to Purchaser HERE:

https://www.harconnect.com/update-mud-notices-to-purchaser/

Published August 10, 2023:

Form HAR 400 is no longer applicable and has been discontinued.

Why? The Texas Legislature recently passed a series of laws, **HB2815 and HB2816**, changing the utility district or "MUD" notice of information process. The legal notice provisions used in form HAR 400 have been deleted by the recent legislation and are no longer the law. **As those laws passed with a two-thirds majority, the changes went into effect immediately, June 18, 2023, rather than on September 1**.

All information or "notice" concerning a district's rates, services, bonds, etc., must be contained and posted on the district's website for access by the public. As before, if a seller's property is situated in a district, then the seller must deliver to the buyer the statutory notice for the buyer's signature prior to final execution of the earnest money contract. The notice can be obtained from the district's website which the new law requires of the district.

So, on behalf of your seller client, the listing agent will be tasked with obtaining a completed notice directly from the district. Seller's obligation to deliver notice to the buyer can be found in paragraph 6.E.(3) and (11) or (12) in the TREC form sale contracts. Failure to timely obtain buyer's signature prior to execution of the final purchase contract will allow the buyer to terminate the contract unless the notice is signed at or before closing (if closed it is presumed the buyer waived its right to terminate).

Delivery of the notice is accomplished upon execution of the notice by the buyer. Additionally, the seller must sign the notice too. Finally, as stated previously, a completed notice should be available on the district's website. Additionally, a district is required to file the notice with the county property records, and also have a copy available upon request to it and payment of a fee up to \$10.00, i.e., two other ways to obtain the notice.

If you have any questions or need assistance, email mlsqa@har.com.

A A	В	C	D E
District Name	County	Website	Phone Number
0 Harris Co MUD # 44	Harris	<u>vvcbstte</u>	THORE HUMBEL
Harris Co MUD # 449	Harris	https://www.hcmud449.com/	
Harris Co MUD # 450	Harris	https://www.hcmud450.org/	(713) 860-6400
Harris Co MUD # 451	Harris		(713) 860-6400
Harris Co MUD # 454	Harris		
Harris Co MUD # 457	Harris		
56 Harris Co MUD # 458	Harris		
Harris Co MUD # 459	Harris		
58 Harris Co MUD # 46	Harris	https://www.hcmud46.org/	(713) 651-0111
59 Harris Co MUD # 460	Harris		
Harris Co MUD # 461	Harris		(713) 651-0111
Harris Co MUD # 465	Harris		
Harris Co MUD # 468	Harris	https://hcmud468.com/	
Harris Co MUD # 473	Harris		
Harris Co MUD # 479	Harris		
Harris Co MUD # 48	Harris		(713) 237-1221
66 Harris Co MUD # 480	Harris		(713) 860-6400
67 Harris Co MUD # 481	Harris	https://www.hcmud481.com/	
58 Harris Co MUD # 489	Harris	https://www.hcmud489.com/	(713) 623-4531
Harris Co MUD # 49	Harris	http://www.hcmud49.org/	
70 Harris Co MUD # 490	Harris	https://www.hcmud490.org/	(713) 623-4531
71 Harris Co MUD # 494	Harris		(713) 623-4531
72 Harris Co MUD # 495	Harris		(713) 860-6400
73 Harris Co MUD # 499	Harris		(713) 860-6400
74 Harris Co MUD # 5	Harris		35.
75 Harris Co MUD # 50	Harris	https://hcmud50.com/	(281) 328-2041
76 Harris Co MUD # 500	Harris	https://www.hcmud500.org/	
77 Harris Co MUD # 501	Harris	https://www.hcmud501.org/	
78 Harris Co MUD # 502	Harris	https://www.hcmud502.org/	(713) 652-6500
79 Harris Co MUD # 503	Harris		
BO Harris Co MUD # 504	Harris	https://hcmud504.org/	(713) 860-6400
B1 Harris Co MUD # 509	Harris		(713) 860-6400
Harris Co MUD # 518	Harris		
Harris Co MUD # 525	Harris		
Harris Co MUD # 528	Harris		

Harris County Municipal Utility District 481

Serving Edgewater and the Enclave at Edgewater Neighborhoods



Notice to Purchaser of Real Estate

August 25, 2023 by HCMUD 481

The real property that you are about to purchase is located in Harris County Municipal Utility District No. 481 ("District") and may be subject to district taxes. The district may, subject to voter approval, impose taxes and issue bonds. The district may impose an unlimited rate of tax in payment of such bonds. The current tax rate levied by the District on property within the District is \$1.05 per \$100 of assessed value.

Notice to Purchaser of Real Estate (PDF)

Posted in: Latest News

Harris County Municipal Utility District 481

May 31, 2021 by HCMUD 481

Through the Harris County MUD No. 481's website you can easily find links to the following services:

- · Financial and Tax Information
- · Property Tax Database
- · Public Records Request

Posted in: Latest News

Translate This Website

Select Language 🗸

Upcoming Meetings

Monday, November 13, 2023 at 12:00 PM

Notice of Public Hearing on Tax Rate
 (PDF)

The Board generally meets on the second Monday of the month at the City of Webster City Hall, Executive Conference Room, 101 Pennsylvania Avenue, Webster, Texas 77598.

Quick Links

Electronic Municipal Market Access (EMMA)
City of Webster Utilities
Landowner's Bill of Rights
Notice to Purchasers
Property Tax Database
Public Records Request

News Archive

General

Example of MUD Website

Link to Form (PDF)

NOTICE TO PURCHASER OF SPECIAL TAXING DISTRICT

The real property that you are about to purchase is located in Harris County Municipal Utility District No. 481 ("District") and may be subject to district taxes. The district may, subject to voter approval, impose taxes and issue bonds. The district may impose an unlimited rate of tax in payment of such bonds. The current tax rate levied by the District on property within the District is \$1.05 per \$100 of assessed value.

Bonds payable wholly or partly from property taxes, excluding refunding bonds that are separately approved by the voters and excluding any bonds or any portions of bonds issued that are payable solely from the revenues received or expected to be received under a contract with a governmental entity, of the District have been authorized by the voters: (1) for the purposes; (2) in the amounts; and (3) have been sold to date in the amounts; all as shown below:

Authorized Purpose	Total Amount Authorized	Amount Issued to Date
Water, Sewer, and Drainage, and Navigation Facilities	\$82,500,000.00	\$16,845,000.00
Road Facilities	\$21,640,000.00	\$6,580,000.00
Recreational Facilities	\$8,000,000.00	\$1,500,000.00
Fire Protection Facilities	\$2,000,000.00	\$0.00

The District is located in whole or in part in the city limits of the City of Webster, Texas. The municipality and the District overlap, but may not provide duplicate services or improvements. Property located in the municipality and the district is subject to taxation by the municipality and the district.

The purpose of this District is to provide water, sewer, drainage, navigation, flood control, road, and parks and recreation facilities and services. The cost of these facilities is not included in the purchase price of your property.

	SELLER:	
(Date)	Signature of Seller	

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ROUTINELY ESTABLISHES TAX RATES DURING THE MONTHS OF SEPTEMBER THROUGH DECEMBER OF EACH YEAR, EFFECTIVE FOR THE YEAR IN WHICH THE TAX RATES ARE APPROVED BY

Sample Form from MUD Website

THE DISTRICT. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM. THE INFORMATION CONTAINED IN THIS NOTICE WAS COMPILED BY THE DISTRICT ON AUGUST 25, 2023. THE DISTRICT'S PHONE NUMBER IS 281-500-6050.

The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or prior to execution of a binding contract for the purchase of the real property described in such notice or at closing of purchase of the real property.

	PURCHASER:	
(Date)	Signature of Purchaser	-
	ľ	

Note: This form is required by law to be recorded in certain circumstances at closing,

New TREC Agent Contact Information Guidelines on TREC Website

License Holders' Contact Information Becomes Private September 1

08-30-2023 by: Summer Mandell



A bill passed by the 88th Texas Legislature requires all licensing agencies, including the Texas Real Estate Commission, to remove or redact certain details about applicants and current and past license holders in publicly available information, such as the TREC website license holder search or via public information requests.

This legislation enhances your privacy by protecting personal information like your address, telephone number, and email address.

Prior to this bill, contact information of license holders was available to the public.

What This Means for High Value Data Set Users

High Value Data Sets will no longer include license holders' addresses, phone numbers, email addresses, and location-identifying information beyond the county in which they live or conduct business.

Don't Forget to Keep Your IABS Up to Date

In addition to using the TREC license holder search to find license holders, verify licensure, or look for disciplinary history, consumers have used the TREC website as a source for contact information. As a result, it is essential to keep your <u>Information</u>

<u>About Brokerage Services (IABS) form</u> updated. Having an outdated IABS form can result in <u>disciplinary action</u> from TREC.

Important Things To Remember Concerning Dates/Days on Contracts

- 1) Be sure that your closing date in Paragraph 9 is not on a weekend or holiday
- 2) Remind your Buyer Client that earnest money & option fee must be delivered to the Title Company within 3 days of the contract being EXECUTED
- 3) Never put less than 7 days for an Option Period unless the buyer insists, or you are 100% certain that the inspector can get to the property within 48 hours
- 4) Always remember to put between 18-21 days in Paragraph 2 on the Third Party Financing Addendum for the Buyer to be approved for the loan. Anything less than 18 days puts the buyer in jeopardy of losing their earnest money if the lender takes too long to process the loan and get it to the underwriter.
- 5) NEVER execute a contract or put a date in the box before all parties have signed
- 6) When writing a lease, be sure that the date the tenant is required to deliver the security deposit and firs month's rent rent is at least 24 hours (48 preferred) prior to the move-in date. No tenant should ever get keys to a home unless the money is already in the bank

REMINDER: You must upload all signed/executed documents and checklists into Dotloop within 24 hours and you must add me to the Loop and remember to SHARE each document with me so I can see it. I get calls from other brokers and agents about properties and then when I go to look up the docs in Dotloop, they aren't there and I look foolish. I must have access to your documents ASAP so that I can make sure everything is in place and can answer questions if needed. Also, they need to be there in case TREC wants to investigate or audit us. This is a BIG DEAL so please be sure you are getting these documents into Dotloop so I can see them.

QUESTIONS / COMMENTS ?



The next meeting will be in January, 2024