

LOREN STEFFY

Column: Only builders shed tears for demise of TRCC

By [Loren](#) on September 12, 2008 at 8:04 AM

Several years ago, I [interviewed Mickey Redwine](#) at his office in Ben Wheeler, near Tyler. At the time, he had just called federal prosecutors and offered to testify against WorldCom's Bernie Ebbers, who was about to go on trial in Manhattan. WorldCom had stiffed Redwine's cable drilling company for more than \$9 million.

Now, Redwine is fighting another fight. He was one of the first commissioners appointed to the Texas Residential Construction Commission, and he's the only one who seems willing to fight for its survival.



File photo

Redwine is the first to admit the agencies flaws, but he believes reforming the commission will better serve consumers than eliminating it, as he explains in [my column today](#):

[Mickey Redwine](#)

During the past five years, state lawmakers and home builders have constructed a Potemkin village of regulation in the Texas Residential Construction Commission.

Its facade of legitimacy is so flimsy that a Sunset Commission staff report recently recommended its absence would serve homeowners better than its presence. It called the commission "fundamentally flawed."

It's telling that the only group upset about dismantling the TRCC is the builders it is supposed to police.

The TRCC purports to resolve differences between aggrieved homeowners and builders and promote better home construction. In fact, it's been a Legislature-sanctioned smoke screen for bad construction.

No wonder, then, that the builders are clamoring to keep the TRCC while consumer groups are saying good riddance.

In a statement issued after the Sunset Commission's decision last month, Ron Connally, an Amarillo builder and first vice president of the Texas Association of Builders, called the decision shortsighted.

"Without the TRCC's dispute resolution process, homeowners with construction defects that are currently being resolved in an expedient and cost-effective manner will be left with nowhere to turn but time-consuming and expensive litigation," he said.

That, though, is pretty much the system we have now. The Sunset Commission's found that 88 percent of the disputes brought before the TRCC wind up in court anyway.

"There is a huge burden on the homeowner to prove what's wrong with their house, and where do they wind up? In a legal dispute," said Janet Ahmad of San Antonio, president of Homeowners for Better Building. "We don't need a state agency for that."

The Sunset Commission has scheduled a hearing on the matter for Sept. 23. TRCC Commissioner Mickey Redwine believes that may be the TRCC's last chance to show it's willing to change.

"We're looking down the barrel of a loaded gun," he told me. "We get one shot at fixing this."

Who's right, Redwine or the Sunset Commission? Should the TRCC be scrapped completely, or reformed to make it more responsive to consumers?

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