

**From:** [Sunset Advisory Commission](#)  
**To:** [Elizabeth Jones](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Thursday, July 9, 2020 6:53:11 PM

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From: sunset@sunset.texas.gov On Behalf Of Texas Sunset Commission  
Sent: Thursday, July 9, 2020 6:53:06 PM (UTC-06:00) Central Time (US & Canada)  
To: Sunset Advisory Commission  
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS DEPARTMENT AGRICULTURE

First Name: William

Last Name: McDonald

Title: Certified Applicator / Home Inspector

Organization you are affiliated with:

Email:

City: Austin

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed: The Structural Pest Control Service of TDA is guilty of misfeasance and malfeasance. The licensing division is in a state of disarray and the enforcement division takes advantage of it for revenue generation. The head of enforcement perjured herself in an Administrative Law Hearing in July 2019, Docket No. 551-19-3397. Several thousand dollars were fined to the defendant and he won his case with only a \$300 fine being assessed. This was under the guidance of 3 SPCS staff attorneys and several SPCS staff members. The defendant was the first and is the biggest of a new business plan that helps licensed Texas home inspectors get their Wood Destroying Insect Report licensing to do WDI inspections. The SPCS staff, Texas Pest Association and SPCS advisory committee has been actively fighting the home inspectors presence in the WDI reporting industry. The new T5 WDIR form is designed to entrap the inspectors for fines and levies, therefore pushing them out of the industry. The head of enforcement should not be allowed to give any testimony or be involved with any assessments of fines because of her perjury in a court of law. The SPCS advisory committee should have a representative from the real estate industry added to it. Just the WDI reporting industry alone is a 100 Million dollar industry in Texas and is not properly represented on the committee. I submitted a very lengthy information packet to the Sunset Commission. That information packet and SOAH report can be found at: <https://www.rmacinspections.com/blank-c17ld>

Any Alternative or New Recommendations on This Agency: The SPCS needs to be moved to the TDLR.

My Comment Will Be Made Public: I agree