

# MCROBERTS & COMPANY

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Andrew J. McRoberts, MAI, CRE

November 19, 2021

Ken Paxton  
**Office of the Attorney General**  
PO Box 12548  
Austin, TX 78711-2548

**Re: Free Trips for Texas Appraiser Licensing & Certification Board Workers**

Dear Mr. Paxton,

I request you open an investigation into the way federal grant money owed the State of Texas by federal statute (12 U.S. Code § 3338) was diverted from 2010 to 2019 by the Appraisal Foundation to purchase trips for Texas state employees to promote the use of the publisher's continually changing (every two years) copyrighted standards (Uniform Standards of Professional Appraisal Practice) that are sold to Texas citizens at monopoly pricing.

Please focus on any potential quid pro quo between Texas state employees failing to comply with the Texas Administrative Procedure Act (Texas Government Code § 2001.021) and Title 1 of the Texas Administrative Code § 91.40 and the free trips provided by the publisher, who derived a benefit from the so-called "rolling adoptions by reference."

The aforementioned Texas statute and regulation require state agencies to submit all revised versions of documents adopted by reference to a notice-and-comment rulemaking pursuant to the procedures set forth in Texas law. This has not happened with this set of standards. The Texas Constitution's One-Subject Clause, Article III, Sec. 36, also bans any law from being revived or amended by reference to its title alone, as does Texas judicial precedence in *Ex Parte Elliott*, 973 S.W.2d 737 (Tex. App. 1998).

Sincerely,

Andrew J. McRoberts, MAI  
Texas State Certified Appraiser