

2010 Local Candidate Questionnaire

Rental registration

Question 1. Several cities across Texas have undertaken excessively restrictive measures on rental property in their communities in an effort to monitor landlords and generate local fee driven revenues through rental property. Some of these actions are registration of rental property and the inspection of rental property with permitting and other subsequent fees associated with these measures. Would you oppose such proposals to enact a rental registration or rental property inspection fee?

TAR Position: While REALTORS® support quality neighborhoods and resident safety, these programs are often duplicative regulations, ineffective and intrusive to owners and tenants of rental properties. These programs also result in nothing more than a tax on renters and property owners, further increasing the already high cost of living.

County Judge

Glen R. Peterson **Answer:** **Yes** **No**

Further Explanation of Position: *Less governmental intrusions onto our business- not more*

Douglas Kirk **Answer:** **Yes** **No**

Further Explanation of Position: *I oppose the concept of rental registration and rental property inspection fees. We need less government, not more. Rental property is like any other business. The owner risks his capital with the intent of making a profit. The government does not help him do that and consequently does not deserve a piece of the pie.*

Sherman Krause **Answer:** **Yes** **No**

Further Explanation of Position: *Although the position of County Judge down not have any authority over this issue, this is simply and additional tax. Limited government is the best way to promote economic development.*

County Commissioner, Precinct No. 2

Scott Haag **Answer:** **Yes** **No**

Further Explanation of Position:

Henry N. White **Answer:** **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. **Answer:** **Yes** **No**

Further Explanation of Position:

Wade Jacoby **Answer:** **Yes** **No**

Further Explanation of Position: *I'm against over regulating private rental property especially "grandma" houses. We don't need more regulation or more taxes.*

County Commissioner, Precinct No. 4

Stacy Graupner **Answer:** **Yes** **No**

Further Explanation of Position:

Jan Kennady **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *Too many governmental entities are attempting to use these types of measures in an effort to control behavior of tenants (i.e. disorderly conduct) when it really requires police response instead.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position:

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

County Rule Making Authority

Question 2. Counties in Texas have various powers and duties related to regulating land use, regulating structures, platting and subdividing of land. Other border counties also are allowed to require water, sewer, and other utility service to residential property. Do you support a counties' authority to have wholesale authority to regulate development through local rulemaking powers?

TAR Position: The Texas Association of REALTORS® does not support wholesale expansion of county rulemaking authority to Texas counties without voter approval.

County Judge

Glen R. Peterson **Answer:** **Yes** **No**

Further Explanation of Position: *I see no need for more governmental regulations and resulting higher costs to landowners and renters.*

Douglas Kirk **Answer:** **Yes** **No**

Further Explanation of Position: *I do not favor increasing county regulatory power. Our county abuses the power that it already has and I can't imagine giving it any more power. Let landowners determine the best use of their land, within the existing laws of the State of Texas, and keep out additional regulations that do nothing more than restrict liberty, stifle business and rob the entrepreneur of an opportunity to make a living.*

Sherman Krause **Answer:** **Yes** **No**

Further Explanation of Position: *Many citizens move out of city limits to get away from burdensome regulations. Full county rulemaking authority would eliminate that option for citizens.*

County Commissioner, Precinct No. 2

Scott Haag **Answer:** **Yes** **No**

Further Explanation of Position:

Henry N. White **Answer:** **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. **Answer: Yes** **No**

Further Explanation of Position:

Wade Jacoby **Answer:** **Yes** **No**

Further Explanation of Position: *I got the impression from Jay Millikin that often the county is over ridden by State Law. We must respect those laws, and I'd prefer to work out problems with developers rather than be in constant contention with them. Similarly, if there is an issue which concerns the welfare of the county I would hope for cooperation on the part of the developers in such matters.*

County Commissioner, Precinct No. 4

Stacy Graupner **Answer:** **Yes** **No**

Further Explanation of Position:

Jan Kennady **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *The words “wholesale authority” is troubling. Counties should be allowed to make sure their residents have safe water, sewer, streets, etc., but restrictions regarding development issues.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position: *I do not support wholesale authority to regulate development thru local rulemaking powers*

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your “2010 Local Candidate Questionnaire” and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Question 3. County rulemaking powers have been used in very specific circumstances in some fast-growth areas of the Texas. Would you support voter approval to enact any new county rulemaking powers in specific cases?

TAR Position: The Texas Association of REALTORS® does not support wholesale expansion of county rulemaking authority to Texas counties without voter approval.

County Judge

Glen R. Peterson **Answer:** **Yes** **No**

Further Explanation of Position: *I believe that voters should have direct participation. Ex. I recently financed and lead the successful petition drive establishing our right to vote on the \$415 Million Comal County Justice Center. Sherman Krause on the other hand, refused to sign the petition to establish our right to vote on this bond issue.*

Douglas Kirk **Answer:** **Yes** **No**

Further Explanation of Position: *I do think voters should be allowed to express their will. But, I don't want voters to have to go to great length, to sign petitions, to even get a measure on the ballot. Elected officials need to recognize that prosperity comes from a society with limited government. Counties should not have authority greater than that already enacted in State Law.*

Sherman Krause **Answer:** **Yes** **No**

Further Explanation of Position: *Voters should not impose additional rules and regulations on citizens that choose to live in unincorporated areas to escape regulations.*

County Commissioner, Precinct No. 2

Scott Haag **Answer:** **Yes** **No**

Further Explanation of Position:

Henry N. White **Answer:** **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. **Answer:** **Yes** **No**

Further Explanation of Position:

Wade Jacoby **Answer:** **Yes** **No**

Further Explanation of Position: *Any major change should probably be put to a vote.*

County Commissioner, Precinct No. 4

Stacy Graupner **Answer:** **Yes** **No**

Further Explanation of Position:

Jan Kennady **Answer:** **Yes** **No**

Further Explanation of Position: *All bills supported by Comal County have been based on local support.*

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *If a particular county has voters who want something, then it should be allowed. Generally, it is control at the local levels that works best.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position: *Voter approval-keywords*

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your “2010 Local Candidate Questionnaire” and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Appraisal Caps

Question 4. Currently, Texas has a 10% cap on the increase in Assessed Values for residential homesteads. Several proposals in the Texas Legislature would artificially cap property appraisals at 3% or 5% annually. The following is a two part question: **A).** Do you support an artificial lowering the cap on appraisals? Further, some of these proposals would allow local-option elections that would allow for appraisal caps on a local level. **B).** Would you support efforts to lower the appraisal cap at the local level?

TAR Position: The Texas Association of REALTORS® opposes all efforts to reduce the property-tax appraisal cap from its current level of 10%. Lowering the property-appraisal cap creates havoc within the appraisal system—experience and research strongly supports this position. The Real Estate Center at Texas A&M University published a report outlining the detrimental impacts various tax plans would have on the Texas economy. The report stated that a “... proposal to cap value increases at 5% per year similar to the California Proposition 13 model offers a promise of relief from climbing taxes, but the cure could produce undesirable side effects in the long run.” Lowering the property-tax cap “... would work to distort housing purchase decisions by keeping property taxes low for long-term residents.” The report concluded: “... these measures threaten to impact the marketability of new homes and retard demand for new development by increasing the burden of purchasing new homes or even moving to another existing home. As time passes that impediment would continue to grow into a sizable distortion of the housing market.” In

both California and Florida, the real estate market is being adversely affected by these artificial caps and many homeowners are now locked into their homes with no way to afford the taxes on opportunities to buy a larger home for a growing family or downsize for retirement.

County Judge

Glen R. Peterson **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position:

Douglas Kirk **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *I do not favor an artificial system of appraisal caps. Appraisals should be fair and realistic. I understand the need to stop the runaway appraisals and the sudden appraisals that are created (especially on business property) in an effort to "catch up." But fair market value should be just that. Unfortunately the whole appraisal system is fraught with inequities for a lot of people. I think the system needs to be scrapped and a task force should be employed by the State Legislature to come up with a fair way to assess the value of real estate. Property tax, as a revenue source, should be eliminated in favor of a consumption tax. Property tax punishes people who work hard and better themselves in life. A consumption tax will tax the underground economy that is tax free right now. (Drug-driven cash economy.)*

Sherman Krause **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *Property tax relief comes when we address spending, not from arbitrarily capping appraisals. In addition, this would lead to inequities in taxations, which violates that Texas Constitution requirement of fair and equal taxation.*

County Commissioner, Precinct No. 2

Scott Haag **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *The most effective way to control taxes is to control spending.*

Henry N. White **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position:

Michael L. Maurer, Sr. **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position:

Wade Jacoby **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *Basically I'm against artificial methods of price controls or artificial inflationary measures. Let the markets set the price, we can always lower the tax rate if revenues exceed the need to provide county services.*

County Commissioner, Precinct No. 4

Stacy Graupner **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position:

Jan Kennady **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *Neither are in the best interest of property owners.*

Justice of the Peace, Precinct No. 1

William L. Schroeder **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position:

D. L. Schraub **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *These actions would cause unintended consequences which would ultimately hurt the real estate market. Overall, a new way of raising income needs to be addressed at the state level.*

Tom Clark **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position:

Susan Dvorak **A). Answer: Yes No**

B). Answer: Yes No

Further Explanation of Position: A. *I favor the \$15,000 local homestead exemption. This does not translate to much of a break for homeowners, but it is something and a step in the right direction of eliminating property tax.*

B. *I don't think a local homestead increase option is fair. Some entities would offer it and others would not. I would be in favor of increasing the homestead exemption for everyone, fairly, across the board, throughout the State of Texas.*

Sherman Krause A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *Comal County currently offers the maximum exemption allowed by law-20 percent. This should be sufficient to provide tax relief and incentive for home ownership.*

County Commissioner, Precinct No. 2

Scott Haag A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: B. *Comal County gives a 20% exemption for Homesteads and an additional amount to seniors.*

Henry N. White A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

Wade Jacoby A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *Or question B, it sounds like it would simply be an option, so that seems like a weak solution to me. I'd prefer that the county become more efficient which over time would allow us to lower taxes.*

County Commissioner, Precinct No. 4

Stacy Graupner A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

Jan Kennady A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *Comal County provides a 20% homestead exemption, the most allowed by statute, unlike many surrounding counties.*

Justice of the Peace, Precinct No. 1

William L. Schroeder A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

D. L. Schraub A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *I believe the exemption should be consistent across county lines or inequities will begin to exist in the county boarder line areas such as County Line Road in New Braunfels.*

Tom Clark A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

Susan Dvorak A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

Mike Rust A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders A). Answer: **Yes** **No**

 B). Answer: **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Effective Tax Rate

Question 6. Currently, when a taxing jurisdiction other than a school district, increases its tax rate by more than 8%, the taxpayers' only recourse is through a burdensome petitioning process. Would you support increased accountability to the public through automatic referendum on tax rates that increase by greater than 5%?

TAR Position: The Texas Association of REALTORS® supports measures to increase accountability of local taxing jurisdictions. The current calculation of an effective tax rate and burdensome petitioning requirements for contesting the established tax rate increase often result in an unfair tax increase on local property owners.

County Judge

Glen R. Peterson Answer: **Yes** **No**

Further Explanation of Position: *As County Judge, I will also support voter referendum for any commissioner court project over \$5 million.*

Douglas Kirk Answer: **Yes** **No**

Further Explanation of Position: *I support the idea of making it easier for taxpayers to be given the opportunity to vote when taxes exceed a tax increase limit. When I authored the 2005 Comal County Tax Rollback effort, and worked with citizens to gather almost 6,000 signatures, it was a massive and time-consuming job. The tax rate was increased 12.5% one year over the next. The County misled the public regarding the expected revenues from Sales Tax (understated it) and lied to the public about all the services that would be lost if the rollback election succeeded. Confused, the public voted to allow the tax increase. Since when do people vote themselves a 12.5% tax rate increase? Yes, I think a 5% ceiling is better than an 8% ceiling and I do support an automatic referendum.*

Sherman Krause Answer: **Yes** **No**

Further Explanation of Position: *Arbitrary numbers like 8 and 5 percent are a band-aid approach and do not provide true property tax relief. True relief will only come from tying tax increases to real-world numbers like growth and inflation indexes.*

County Commissioner, Precinct No. 2

Scott Haag Answer: **Yes** **No**

Further Explanation of Position:

Henry N. White Answer: **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. **Answer: Yes** **No**

Further Explanation of Position:

Wade Jacoby **Answer: Yes** **No**

Further Explanation of Position: *Remember the last Roll Back election was defeated and we got a 12% increase anyway. Go Figure. Gut sure, by all means let the people have a say in these matters.*

County Commissioner, Precinct No. 4

Stacy Graupner **Answer: Yes** **No**

Further Explanation of Position:

Jan Kennady **Answer: Yes** **No**

Further Explanation of Position: I would prefer elimination of burdensome petitioning process at the current rate of 8%. The 8% level assists local government to address unforeseen occurrences such as the 50 year floods in 1998 and 2002, and the constant unfunded mandates shifted sown to local government by federal and state government. No matter what percentage the rollback rate is, the appraised value of property is an equally important component that should be scrutinized. Comal County's tax rate is in the bottom 5% of the 254 Counties in Texas

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer: Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer: Yes** **No**

Further Explanation of Position: *Comal County voters have consistently proven they can meet the petition requirements when they are concerned. The petition referendums continue to have historical significance and are a great tool!*

Tom Clark **Answer: Yes** **No**

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer: Yes** **No**

Further Explanation of Position:

Susan Dvorak **Answer: Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Eminent Domain

Question 7. Currently, the Texas Constitution permits condemnation of land for public use. Before the U.S. Supreme Court ruling in *Kelo vs. New London*, public use was understood to be for parks, roads, and other infrastructure. In light of this recent ruling allowing the taking of private property for economic development purposes, the scope of public use needed to be redefined. Legislation passed in 2005 attempts to protect private property from local governmental entities taking private property through the power of eminent domain for purposes of economic development. However, the bill is full of exceptions. This November, Texans will vote on a constitutional amendment to limit the public taking of private property.

The following is a two part question: **A).** Do you support the taking of private property through the powers of eminent domain for the purpose of economic development? **B).** Do you support a local government's taking of private property through powers of eminent domain and conveying that condemned property to another private sector entity or owner?

TAR Position: The Texas Association of REALTORS® continues to support legislative efforts to protect the rights of private property owners by prohibiting the use of eminent domain for economic purposes only and limiting its use only to officials accountable to the public.

County Judge

Glen R. Peterson **A). Answer:** **Yes** **No**

B). Answer: **Yes** **No**

Further Explanation of Position: *These are 5th Amendment violations of right to our property. The 5th Amendment should be more strictly construed or interpreted.*

Douglas Kirk **A). Answer:** **Yes** **No**

B). Answer: **Yes** **No**

Further Explanation of Position: *A. I do not support the taking of private property through the powers of eminent domain for the purpose of economic development. If you want a piece of property, make an offer and buy it. If the owner likes your offer, he'll sell it if he wants to sell it.
B. I do not support a local government's taking of private property through powers of eminent domain and conveying that condemned property to another private sector entity or owner. If you want it, come up with the price the owner wants and if he'll accept the offer, then you can have it. Otherwise, go somewhere else.*

Further Explanation of Position:

D. L. Schraub A). Answer: Yes **No**

 B). Answer: Yes **No**

Further Explanation of Position: *It is unfortunate that the Supreme Court expanded the definition of the word "use". I applaud and heartily endorse the TAR position noted with this question.*

Tom Clark A). Answer: Yes No

 B). Answer: Yes No

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt A). Answer: Yes **No**

 B). Answer: Yes **No**

Further Explanation of Position:

Susan Dvorak A). Answer: Yes No

 B). Answer: Yes No

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge A). Answer: Yes No

 B). Answer: Yes No

Further Explanation of Position:

Mike Rust A). Answer: Yes No

 B). Answer: Yes No

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders A). Answer: Yes No

 B). Answer: Yes No

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Local real estate transfer taxes

Question 8. As local officials look for new ways to fund city and county services and transportation needs, proposals have been made to enact new local taxes, including a proposal that places a flat fee or percentage sales tax on all real estate transactions (a.k.a., “real estate transfer tax”). Would you support a transfer tax on real estate transactions of any dollar amount or percentage either locally or on the state level?

TAR Position: The Texas Association of REALTORS® opposes any and all efforts to create a transfer tax on real estate. Real estate transfer taxes and fees are a major burden to buyers and sellers, particularly at the time of closing. Additionally, these taxes and fees have a negative impact on housing costs and, therefore, economic development. Finally, because of their volatility, these taxes and fees are a particularly poor revenue source for the general.

County Judge

Glen R. Peterson **Answer:** **Yes** **No**

Further Explanation of Position:

Douglas Kirk **Answer:** **Yes** **No**

Further Explanation of Position: *I do not support a transfer tax of any kind. A real estate transaction is a private business deal between a buyer and a seller. The government needs to stay out of private business at every level. Why is the government always looking for ways to get more money when they should be looking for ways to become more efficient and spend less money?*

Sherman Krause **Answer:** **Yes** **No**

Further Explanation of Position: *We do not need to create new fees and/or taxes.*

County Commissioner, Precinct No. 2

Scott Haag **Answer:** **Yes** **No**

Further Explanation of Position:

Henry N. White **Answer:** **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. **Answer: Yes** **No**

Further Explanation of Position:

Wade Jacoby **Answer:** **Yes** **No**

Further Explanation of Position: *Hell no!*

County Commissioner, Precinct No. 4

Stacy Graupner **Answer:** **Yes** **No**

Further Explanation of Position:

Jan Kennady **Answer:** **Yes** **No**

Further Explanation of Position: *Absolutely not!*

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *But if this tax was done in conjunction with a removal of property taxes, then it might have merit. An elderly person would only pay for their home once, rather than continually paying the government as we do now.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: *N/A*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position:

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Energy Efficiency Standards at Point of Sale

Question 9. Some city councils have proposed to mandate certain energy efficiency upgrades in residential properties which must be completed and certified prior to the sale of the property. These mandates would require all properties to be

retrofitted to meet the standards of the mandates costing sellers thousands of dollars. If elected, would you support efforts to impose mandatory energy-efficiency upgrades in existing housing?

TAR Position: The Texas Association of REALTORS® supports efforts at the state level to provide incentives for compliance with voluntary green standards for homes and commercial buildings. Through varying incentives and broad consumer education, the state can create more informed homeowners and homebuyers who will have an interest in cutting their energy consumption, not just homeowners who are selling their property. Additionally, by providing incentives for voluntary energy efficiency upgrades in existing homes and buildings, the harmful effects on the local economies and the state economy will be mitigated. A recent study commissioned by the Texas Association of REALTORS® concluded that measures mandating retrofitting at the point of sale would cost \$80 million in economic output for the City of Austin alone.

County Judge

Glen R. Peterson **Answer:** **Yes** **No**

Further Explanation of Position: *Less government regulations – not more*

Douglas Kirk **Answer:** **Yes** **No**

Further Explanation of Position: *I do not support mandates requiring a person to retrofit real estate with anything, much less energy efficiency measures. Property is offered for sale, as is, where is, unless the contract calls for something else. Why should the government be allowed to step into this agreement, provide nothing, and cause others to bear a new burden?*

Sherman Krause **Answer:** **Yes** **No**

Further Explanation of Position: *Whenever possible, government should avoid retroactively imposing mandates on existing property.*

County Commissioner, Precinct No. 2

Scott Haag **Answer:** **Yes** **No**

Further Explanation of Position:

Henry N. White **Answer:** **Yes** **No**

Further Explanation of Position:

Michael L. Maurer, Sr. **Answer:** **Yes** **No**

Further Explanation of Position:

Wade Jacoby **Answer:** **Yes** **No**

Further Explanation of Position: *I would be for tax incentives to encourage efficiency upgrades however.*

County Commissioner, Precinct No. 4

Stacy Graupner **Answer:** **Yes** **No**

Further Explanation of Position:

Jan Kennedy **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *Government needs to stop imposing mandatory mandates o private property, as this is just a more subtle way of the government having eminent domain.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: *N/A*

Note: If a regulation is past and becomes law I would be required to impose sanctions if within the JP Courts jurisdiction.

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position:

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

JP Questionnaire

Question1. In the case of Tenant delinquencies and collections, do you support Management Companies being able to recover all fees that have been agreed to in the Texas Real Estate Promulgated forms?

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *I believe all contracts should be enforced so if the tenant agrees to those fees when signing, then the landlord/management co. is entitled to them.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: **Absolutely- with the only exceptions being discretionary fees (if applicable)- and in those instances, a ruling would be on a case by case basis.*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position:

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Question2. Are there any fees you feel should not be recoverable by a management company?

Justice of the Peace, Precinct No. 1

William L. Schroeder **Answer:** **Yes** **No**

Further Explanation of Position:

D. L. Schraub **Answer:** **Yes** **No**

Further Explanation of Position: *Any fees that are usury or, by their nature ridiculous when common sense is applied: and example being a \$25 per day late fee to a \$500 a month rental unit.*

Tom Clark **Answer:** **Yes** **No**

Further Explanation of Position: **Again- on a case by case basis-if a fee is deemed to be discretionary (or otherwise excessive) the court will look @ what is reasonable and customary in accordance w/ industry standards.*

Justice of the Peace, Precinct No. 2

Cliff Hunt **Answer:** **Yes** **No**

Further Explanation of Position: *Management should only recover fees that were agreed too.*

Susan Dvorak **Answer:** **Yes** **No**

Further Explanation of Position: *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge **Answer:** **Yes** **No**

Further Explanation of Position:

Mike Rust **Answer:** **Yes** **No**

Further Explanation of Position:

Justice of the Peace, Precinct No. 4

Jennifer Saunders **Answer:** **Yes** **No**

Further Explanation of Position: *I am in receipt of your "2010 Local Candidate Questionnaire" and because I am a Judge and based on that reason I cannot respond to your questionnaire.*

Question3. What do you consider to be an area of tenant rights that needs to be improved?

Justice of the Peace, Precinct No. 1

William L. Schroeder :

D. L. Schraub : *Tenants should not be subjected to the “Brutal Actions” of old-fashioned landlords who remove doors, turn off electricity and water, and otherwise cause damage to tenants that is unneeded when landlords can use laws in place today that readily benefit the landlord.*

Tom Clark : *The rights and privileges that are conveyed to tenants in landlord/tenant contracts on a standard basis seem to work well. It is when a landlord strays from those standards and imposes additional and unnecessary requirements on a tenant than the court must consider that legality of such imposition.*

Justice of the Peace, Precinct No. 2

Cliff Hunt : *A contract should always be agreed to both parties.*

Susan Dvorak : *As a candidate for a judicial office, I respectfully feel I need to decline to answer. My job as a Justice of the Peace is to rule on cases according to the law and the specific facts of a specific case, so it is wrong for me to put forth a blanket position on an issue.*

Justice of the Peace, Precinct No. 3

Wade Arledge :

Mike Rust :

Justice of the Peace, Precinct No. 4

Jennifer Saunders : *I am in receipt of your “2010 Local Candidate Questionnaire” and because I am a Judge and based on that reason I cannot respond to your questionnaire.*