

STATE OF KANSAS

KANSAS REAL ESTATE COMMISSION
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GOVERNOR JEFF COLYER, M.D.
ERIK WISNER, EXECUTIVE DIRECTOR

MINUTES OF THE MEETING Kansas Real Estate Commission June 18, 2018

The Kansas Real Estate Commission held its regular meeting on Monday, June 18, 2018, at 9:00 a.m. at the at Jayhawk Tower, 700 S.W. Jackson Street, Suite 404, Topeka, Kansas 66603.

Commissioners Present:

Bryon Schlosser, Chairperson
Joe Vaught, Vice-Chairperson
Errol Wuertz, Member
Sue Wenger, Member
Connie O'Brien, Member

Staff Present:

Erik Wisner, Executive Director
Kelly White, Deputy Director, Director of Licensing and Education
Stacey Serra, Legal Assistant
Amber Nutt, Education Specialist
Wendy Alkire, Compliance Director

Kansas Real Estate Commission Legal Counsel:

Sarah Fertig, Assistant Attorney General
Jane Weiler, Assistant Attorney General

Members of the Public:

Mark Barker
Patrick Vogelsberg
Kenneth Williamson

Call to Order

Mr. Schlosser called the meeting to order at 9:01 a.m.

Approval of the Minutes of the May 20, 2018 Meeting

Motion was made by Mr. Vaught, seconded by Ms. O'Brien, to approve the minutes from the May 20, 2018 meeting. Motion carried unanimously.

Conference Hearing of Robin Allenbrand, Docket No. 18-6965

Mr. Schlosser recessed the KOMA meeting at 10:15 a.m.
Mr. Schlosser reconvened the KOMA meeting at 10:25 a.m.

Conference Hearing of Stephen Carvelli, Docket No. 18-6966

Conference Hearing of Kim Barrett, Docket No. 18-7092

Conference Hearing of Rosie Ruiz, Docket No. 18-7093

Broker Experience Task Force Recommendations

Ms. White presented recommendations for Broker pre-license education. Staff determined a total of 12 additional hours should be added to the Kansas law portion and an equal number of hours be added to the general portion. This brings the 24-hour course to a 48-hour course, 12 hours short of the task force's recommended 60 hours.

Staff did not attempt to create any 30-hour outlines to meet the Task Force's recommendation for specialty areas of practice. They noted specialty content may already be available in the form of continuing education courses but the logistics of finding and completing ten 3-hour courses in a timely manner could be difficult.

The Task Force did not specifically address, but the Commission may wish to consider increasing the number of hours in the 4-hour Kansas Law Course for broker applicants with equivalent requirements met in another state. Commission staff will contact the three current providers of the 24-hour Broker Pre-License course to gauge interest in designing and offering the course based on the increased hours and any other comments they may have.

Licensing Business Process Changes

Mr. Wisner provided updates on the status of the licensing business process changes discussed at previous meetings. Changes to K.A.R. 86-1-3, 86-1-5, 86-1-9 and 86-3-15, and the repeal of K.A.R. 86-1-15 have been submitted to the budget director and have been approved. They have been approved by the Division of Budget and are currently being reviewed by Department of Administration.

The changes to the requirements regarding the display of wall licenses have been implemented.

Staff is contacting nonresident supervising brokers who do not currently maintain their primary office in Kansas or their state of residence to help in complying with the legal requirements. Staff anticipates completion in mid-June.

Staff are reviewing proposed statutory changes to implement the remaining licensing business process changes. A draft will be ready for review by the next Commission meeting.

Licensee, Education and Exam Report

Staff approved 11 elective courses in May.

In FY2018, there have been 2,855 exams administered with an overall pass rate of 66%. 60 brokers and 406 salespersons were tested by equivalent requirements, brokers had a 93% pass rate, and salespersons had an 88% pass rate.

Director's Report

FY2018 real estate fee fund receipts are \$1,348,125. This is 11% above estimates. Real estate fee fund expenditures for FY2018 are \$916,405. This is 5% or \$54,067 less than estimated. The real estate fee fund balance is currently \$826,537.01 which is up \$357,430 from July 1, 2017. Background investigation fee fund receipts for FY2018 are \$126,125 which is 10% above estimates. Real estate recovery fund receipts for FY2018 are \$11,259 and the balance in the fund is at \$263,513.

Mr. Wisner advised the Commission that the Department of Administration recently updated their interpretation of state employee mileage reimbursement. Commission members are now considered to be state employees. Previously, Commission members were reimbursed for mileage at the private vehicle rate with no other considerations. State employees are reimbursed at the lesser of private vehicle mileage or the cost of alternate transportation (i.e. rental car). Currently, Mr. Wisner is awaiting a response from the Department of Administration regarding the implementation of this policy, but he will advise Commission members when it is effective.

Adjournment

Mr. Schlosser adjourned the meeting at 1:57 p.m.