

MINUTES OF THE MEETING
Kansas Real Estate Commission
May 18, 2020

The Kansas Real Estate Commission held its regular meeting on Monday, May 18, 2020, at 9:00 a.m. by telephone conference call

Commissioners Present:

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

Staff Present:

Erik Wisner, Executive Director
Kelly White, Deputy Director, Director of Licensing and Education
Amber Nutt, Real Estate Education Specialist
Stacey Serra, Legal Assistant

Kansas Real Estate Commission Legal Counsel:

Jane Weiler, Assistant Attorney General
Christine Sankoorikal, Assistant Attorney General

Members of the Public:

Kathy McCarty
Mark Tomb

Call to Order

Mr. Wuertz called the meeting to order at 9:02 a.m. and called the roll to signify presence at the open meeting via conference call.

Approval of the Minutes of the April 20, 2020 Meeting

Mr. Schlosser made the motion, seconded by Mr. Vaught, to approve the minutes from the April 20, 2020 meeting. Motion carried unanimously.

Hearing of Michelle Blaesing, Docket No. 20-8389

Hearing of JaNell Simpson, Docket No. 20-8400

Hearing of Stacy Summerour, Docket No. 20-8401

Hearing of Rita McLaughlin, Docket No. 20-8398

Revision to KREC Open Record Fees

The Commission reviewed staff's proposed revision to the open records fee schedule to change reimbursement for attorney time from \$60 per hour to \$35 per hour, the standard rate for the Office of the Attorney General.

Mr. Vaught made the motion, seconded by Mr. Schlosser, to approve a revision to the open records fee schedule for attorney time to \$35 per hour. Motion carried unanimously.

Licensee, Education and Exam Report

Pearson Vue exam centers reopened with limited capacity on May 13, 2020 after closure last March due to the corona virus pandemic. Sixty-seven cancelled reservations will be rescheduled. Pearson Vue does not expect to meet the terms of the contract with respect to an exam being scheduled within seven days of the completion of prelicense education until they return to 100% capacity.

As of April 30, 2020, there are 17,042 licensees and 269 pending applications (68 salesperson, 25 broker and 176 fingerprint-only files).

Staff approved one principles of real estate course, one real estate broker management course, four mandatory continuing education courses, and 12 elective continuing education courses from April 1 to April 30, 2020.

In FY2020, Pearson Vue administered 2,193 exams with an overall pass rate of 67%. Seventy brokers and 390 salespersons tested based on requirements met in another state. Brokers had a 73% pass rate, and salespersons had an 87% pass rate.

Director's Report

Real estate fee fund receipts are \$987,651 which is 1% higher than estimated. Real estate fee fund expenditures for FY2020 are \$882,073 which is 5% or \$58,7848 lower than estimated.

The real estate fee fund balance is \$1,006,798 which is up \$91,478 from July 1, 2019. Background investigation fee fund receipts for FY2020 are \$86,215 which is 5% lower than estimated. Combined March/April 2020 revenue was down \$22,024 from the revenue collected in March/April 2019. Real estate recovery fund receipts for FY2020 are \$4,821 and the balance in the fund is \$266,094.

Based on state guidance, limited staff will be in the office during core business hours May 18-29, 2020.

Violations related to incorrect assignment of transaction identification numbers have increased, and brokers indicated current regulations are unnecessarily restrictive and not conducive to electronic records.

Mr. Vaught made the motion, seconded by Ms. Wenger, to assign Mr. Schlosser to work with staff to draft proposed changes to the trust account and transaction identification regulations. Motion carried unanimously.

The Legislature will reconvene for one day on May 21, 2020 and if no action is taken on SB 42 or HB 2506, the bills will die.

Public Comments

Kathy McCarty indicated webinar classes are going well. Mr. Wisner said staff are doing a good job of fast tracking the approval of virtual classes converted from classroom courses.

Mr. Vaught made the motion, seconded by Mr. Schlosser, to adjourn the meeting. Motion carried unanimously.

Mr. Wuertz adjourned the meeting at 11:38 a.m.

Attest: _____

Errol Wuertz, Chairperson

Bryon Schlosser, Vice-Chairperson

Connie O'Brien

Joe Vaught

Sue Wenger