

86-1-19. Submission of supporting documentation with application. (a) In addition to submitting the application for original licensure as a real estate broker or salesperson, each applicant shall file the following with the commission:

(1) (a) The applicant’s fingerprints and a completed waiver, on a form approved by the commission, and the fee required by paragraph (c)(1) of K.A.R. 86-1-5(c)(1)(A);

(2) (b) documentation concerning any final court judgment, memorandum, or other dispositive order or any settlement agreement resulting from litigation filed by or against the applicant or any real estate company owned in whole or in part by the applicant relating to the business of buying, selling, exchanging, or leasing real estate or to any activity listed in the definition of “broker” in K.S.A. 58-3035 and amendments thereto. ~~The applicant shall provide a copy of the petition or complaint setting out the allegations. If the litigation has been resolved, the applicant shall provide a copy of the settlement agreement or order that sets forth the outcome. If a judgment was obtained against the applicant or any real estate company owned in whole or in part by the applicant, the applicant shall indicate whether the judgment has been satisfied. If the judgment has not been satisfied, the applicant shall provide an explanation;~~

(3) (c) ~~documentation concerning a statement that completely and truthfully discloses any pending charges, plea of guilty or nolo contendere, diversion or suspended imposition of sentence, or conviction of a criminal offense other than minor traffic violations, including final discharge from probation, parole, postrelease supervision, or conditional release, a written explanation of the circumstances that resulted in the charge or conviction, and a letter from the proposed supervising broker or branch broker stating that the broker has reviewed a copy of the pertinent court records concerning any pending criminal charges or any conviction or plea of guilty or nolo contendere disclosed by the applicant in the application for licensure or disclosed~~

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AUG 31 2018

DIVISION OF THE BUDGET

DEPT. OF ADMINISTRATION

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in a criminal history check conducted by the Kansas bureau of investigation or federal bureau of investigation and is willing to supervise the applicant under the circumstances misdemeanor or felony. If requested by the commission, the applicant shall also submit documentation concerning any matters disclosed pursuant to this subsection;

(4) (d) documentation concerning any denial, revocation, suspension, voluntary surrender, or any other disciplinary action taken by the state of Kansas or another jurisdiction against any professional or occupational license or certificate held by the applicant;

~~(5)~~ (e) a license history certification from any jurisdiction in which the applicant is currently licensed or has ever been licensed; and

~~(6)~~ (f) a ~~notarized~~ nonresident service of process appointment form for any applicant who is not a resident of Kansas, which shall be submitted on a form approved by the commission.

~~(b) Each applicant submitting an application for renewal of a real estate broker's or salesperson's license shall also submit the documents specified in paragraphs (a)(3), (4), and (6).~~

(Authorized by K.S.A. 2017 Supp. 74-4202**(b)**; implementing K.S.A. ~~2006~~ 2017 Supp. 58-3039, as amended by L. 2007, ch. 88, sec. 1, K.S.A. 2017 Supp. 58-3040, K.S.A. ~~2006~~ 2017 Supp. 58-3043, as amended by L. 2007, ch. 88, sec. 2, and K.S.A. ~~2006~~ 2017 Supp. 58-3050, as amended by L. 2007, ch. 88, sec. 3; effective Nov. 8, 2002; amended, T-86-7-2-07, July 2, 2007; amended Nov. 16, 2007; amended P-_____.)

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