

MINUTES OF THE MEETING  
Kansas Real Estate Commission  
June 21, 2021

The Kansas Real Estate Commission held its regular meeting on Monday, June 21, 2021, at 9:00 a.m.

**Commissioners Present:**

Errol Wuertz, Chairperson  
Bryon Schlosser, Vice-Chairperson  
Clarissa Harvey, Member  
Jacqueline Kelly, Member

**Staff Present:**

Erik Wisner, Executive Director  
Wendy Alkire, Deputy Director, Compliance Director  
Amber Nutt, Education and Communication Director  
Stacey Serra, Administrative Director  
Alycia Smith, Licensing Director  
Kayla Morgan  
Lindsey Bowes

**Kansas Real Estate Commission Legal Counsel:**

Fran Oleen, Assistant Attorney General  
Jane Weiler, Assistant Attorney General

**Members of the Public:**

Mark Barker  
Mark Tomb  
Kimberly Goudy

**Call to Order**

Mr. Wuertz called the meeting to order at 9:00 a.m.

**Approval of the Minutes of the May 17, 2021 Meeting**

Mr. Schlosser moved the minutes of the March 29, 2021 meeting be approved. Ms. Harvey seconded the motion. Motion carried unanimously.

**Hearing of Debra Eskie, Docket No. 20-8394**

**Hearing of Daryl Cooper, Docket No. 21-9596**

**Hearing of Ryan Smith, Docket No. 21-9665**

## **Hearing of Georgina Palmer, Docket no. 21-9717**

### **HB 2066 After Action**

Commission staff is working on a draft of regulations pertaining to issuing temporary licenses to applicant as reference in HB 2066 to be presented to the Commission at a later date. The Commission members provided feedback to staff related to several questions related to ambiguous provisions of HB 2066. Staff will provide an update at the next meeting

### **Review of Delegation of Authority**

Wendy Alkire presented proposed changes to the Delegation of Authority, which delegates authority to Commission staff for specified scenarios and violations related to complaints, compliance reviews and other possible compliance issues. Staff will present the Commission with a revised document at the July meeting based on feedback from the Commission members.

### **Compliance Report**

The oldest disciplinary file pending staff review is from January 27, 2021. The oldest disciplinary file pending review by the attorney general's staff is from December 13, 2019. The oldest complaint under investigation (not on hold) is from January 13, 2021.

Staff have completed 232 compliance reviews in FY2021. An additional 219 brokers have been contacted but had no transaction records to review. During 28 follow up compliance reviews, 18% had repeat violations.

Compliance courses are scheduled for July 21 and October 20, 2021 for BRRETA and July 13 and October 14, 2021 for Broker Supervision.

### **Education and Communication Report**

Staff approved one pre-license course, two mandatory continuing education courses, and seven elective continuing education courses in May 2021.

In FY2021, Pearson Vue administered 3,827 exams with an overall pass rate of 60%. 32 brokers and 420 salespersons tested based on requirements met in another state. Brokers had an 81% pass rate, and salespersons had an 87% pass rate.

### **Licensing Report**

As of June 10, 2021, there are 17,894 licensees which is an increase of 769 compared to June 2020. There are 375 pending applications (127 salesperson, 21 broker and 227 fingerprint-only files), this is an increase of 111 applicants compared to June 2020. There are 1,533 expired licensees in the grace period.

### **Director's Report**

The real estate fee fund balance as of May 31, 2021 is \$1,045,484 up \$65,303 from July 1, 2020. Real estate fee fund receipts for FY21 are \$1,104,966. This is within 1% of original estimates. The Commission reached the \$100,000 cap on transfers to the state general fund in April so all remaining revenue for FY21 will go to the real estate fee fund. Real estate fee fund expenditures for FY21 are \$1,022,648, including encumbered funds for the remainder for FY21. This is 1% or \$6,331 lower than estimates. Background investigation fee fund receipts for FY21 are \$141,035. This is 23% higher than estimates. Real estate recovery fund receipts for FY21 are \$5,782.

The balance as of May 31, 2021 is \$297,763, up \$4,645 from July 1, 2020. The \$20,000 Special Litigation Reserve fund transfer approved by the Commission as part of the FY21 budget was completed on May 14, 2021.

Mr. Wisner provided an overview on required Commission member training. Commission members must complete Criminal Justice Information System training. In order to comply with KBI policies, an online security awareness course is required for everyone with access to background check information, including abstracts or summaries. Commission members must also complete the annual Cybersecurity training as stated in ITEC Policy 7230A.

**Adjournment**

Mr. Wuertz adjourned the meeting at 12:29 p.m.