

August 2019

COMMISSION CHECK IN



The Real Estate Commission prepared this information to provide an overview of common violations. This is an example only, as different facts in a case may result in a different outcome.

Question

On March 1, 2019, Mr. and Mrs. Sandy listed their Kansas property for sale with Salesperson Jim. On April 3, 2019, Salesperson Jim received an offer and presented it to the Sandys. That same day, Mr. and Mrs. Sandy accepted the offer. Salesperson Jim was busy with his real estate business and did not realize his license expired on April 1, 2019. He renewed his license late on May 20, 2019.

Salesperson Jim assisted Mr. and Mrs. Sandy throughout the transaction and was timely in submitting all documentation to his broker, Broker Bob, for review. On May 15, 2019, Salesperson Jim attended the closing and on May 17, 2019, Salesperson Jim received compensation for the transaction from Broker Bob.

Did Salesperson Jim or Broker Bob violate Kansas law?

Answer

Yes, both Salesperson Jim and Broker Bob violated Kansas law.

Salesperson Jim violated K.S.A. 58-3036 by continuing to perform activities that require a real estate license after his license expired.

Broker Bob violated K.S.A. 58-3062(c)(1) by paying Salesperson Jim for licensed activity conducted while his license was expired and K.A.R. 86-3-31(a)(2) for allowing Salesperson Jim to practice real estate after his license expired.