

COMMISSION NEWS

Newsletter from the Kansas Real Estate Commission

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Upcoming Commission Meetings

June 17
August 19

Meetings are open to the public and located at the Commission office in Topeka.

If you plan to attend, please call the office to confirm the date, time, and location. Click [here](#) for more information.

Licenses must be renewed every two years.

Check your renewal date [here](#).

Senate Bill 60 Brings Big Change

Several new provisions related to real estate license law will take effect July 1, 2019. These include:

- Reducing the look back period for broker experience from five years to three years immediately preceding the date of a broker application. The requirement to have two years of experience during that timeframe remains. See K.S.A 58-3039(d)(1).
- Increasing the current broker pre-license education course from 24 hours to 30 hours and renaming the course the "Kansas Real Estate Fundamentals Course." The additional hours of instruction will increase emphasis on brokerage relationships, conflicts of interest, required disclosures, and fiduciary responsibilities. See K.S.A. 58-3046a(b).
- Eliminating the \$50 late fee for licenses renewed after the renewal date, but before the license expiration date. There will not be a renewal due date, only an expiration date. Licensees may renew six weeks prior to their expiration date. See K.S.A. 58-3045(b)(1).
- Increasing the late fee from \$50 to \$100 for a license renewed after the expiration date, but before the six-month grace period ends. After the six-month grace period ends the licensee must reapply. See K.S.A. 58-3045(c).

Effective January 1, 2020:

- Adding a new 30-hour broker pre-license course titled "Kansas Real Estate Management Course," required for new broker's license applicants in addition to the "Fundamentals" course. The topics of the course are focused on advertising requirements, managing teams and groups, systems for review of contracts and forms, and developing office policy and procedures for training affiliated licensees. See K.S.A. 58-3046a(d).

The complete text of SB 60 can be found [here](#).

Commission Members

Bryon Schlosser, Chair, 2nd District | **Joseph Vaught**, Vice Chair, 3rd District
Errol Wuertz, 1st District | **Sue Wenger**, 4th District | **Connie O'Brien**, Member at Large

Erik Wisner, Executive Director **Laura Kelly**, Governor

The mission of the Kansas Real Estate Commission is to protect the public interest, which embraces both the interests of the regulated real estate licensees and the interests of consumers who use their services and products.

Better Recognize Role in Every TransAction

by Kate Holm | Real Estate Specialist and Investigator

One common issue I see in the complaints I investigate is licensees are not working in a consistent role throughout a given real estate transaction. You may be thinking, "I know my role - I am the agent!" But, that may or may not be your role. If in fact you are the agent, what type of agent are you? Are you the *only* agent? Are you a *designated* agent? And do you know what you can and cannot do under that role? What does the law say is essential to include in your paperwork? It may be harder to keep track of than you think, especially if you have several transactions pending.



The Brokerage Relationships in Real Estate Transactions Act ("BRRETA", [K.S.A. 58-30, 101](#) et. seq.) covers duties and responsibilities of the different roles a licensee may have in a given transaction. BRRETA also covers what should be included in documents, such as an agency agreement. As a licensee, you should know the law. Two common BRRETA issues we find with complaints involve a licensee being **inconsistent** or **inaccurate** in their role during a real estate transaction.

Inconsistency. This is when your role in a transaction doesn't match in all transaction documents. For example, on the listing agreement, you are the seller's agent but on the purchase contract, you are the *designated* seller's agent. Or on the buyer agency agreement, you are the only designated buyer's agent but the purchase contract lists another licensee as the designated buyer's agent.

Be sure to note your role on each file to make sure it matches across transaction documents. Don't assume the role is always the same across transactions or assume all of your team members are *always* designated agents on each other's transactions.

Inaccuracy. This is when you do not follow what the statutes say to do for a particular role in the transaction.

Become familiar with the law (particularly [K.S.A. 58-30,106](#); [58-30,107](#); and [58-30,113](#)) to know what you can do under that role. Duties of a seller's agent, buyer's agent, and transaction broker are summarized on the [KREC website](#).

Disciplinary Actions

Below are disciplinary actions effective April 1, 2019 or later with respect to revocations, suspensions, or aggregate fines of greater than \$500.

Docket Number	Last Name	First Name	License Number	Violation	Legal Action	Effective Date
19-7722	Korte	Loren	00040077	Audit	Fine	5/13/19
19-7681	Lewis	Daren	00232640	Lack of HITC	License Revoked	4/9/19
19-7551	Rausch	Allison	00239567	Prohibited Act	Fine	4/9/19
19-7696	Sloop	Carla	00223660	Audit	Fine & CE	5/13/19



Forget Your E-Gov Password?

A video tutorial is now available on the login page of the **E-Gov website**, demonstrating how to reset or create a new password. Use E-Gov to renew your license, update contact information, check CE credits, or request license certifications.