

November 2019

COMMISSION NEWS



Newsletter from the Kansas Real Estate Commission

KREC.KS.GOV

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Commission members

Bryon Schlosser
Chair, 2nd District

Joseph Vaught
Vice Chair,
3rd District

Errol Wuertz
1st District

Sue Wenger
4th District

Connie O'Brien
Public Member

Erik Wisner
Executive Director

Laura Kelly
Governor

Licenses must be renewed every two years.

Check your expiration date [here](#).

Proposed Regulations

A public hearing will be conducted on Monday, January 6, 2020 at 9:00 a.m. at the Kansas Real Estate Commission, 700 SW Jackson, Suite 404, Topeka, KS 66603 to consider the adoption of proposed regulations. Any written comments can be submitted to krec@ks.gov.

KAR 86-1-10 revises definitions, distance education standards, instructor requirements and renewal dates for courses of instruction approved by KREC.

KAR 86-1-11 revises standards and curriculum for courses approved by KREC. The revisions include repealing the "broker core," renaming the "salesperson/broker core" to "Kansas Required Core" and allowing for a maximum of three hours of continuing education credit during a renewal period to be earned by attending a KREC meeting.

KAR 86-1-12 clarifies procedures for monitoring and withdrawing approval of approved courses. The changes proposed in this regulation should have no economic impact on any regulated entities.

KAR 86-1-17 revises certain responsibilities of schools who offer approved courses. This includes issuance of certificates to students, submission of electronic course rosters and advertising requirements. The changes proposed in this regulation should have no economic impact on any regulated entities.

KAR 86-3-7 defines advertisement or advertising as it pertains to real estate license law and clarifies advertising requirements for affiliated licensees of a supervising broker contained in **K.S.A. 58-3086**. Proposed changes would prohibit affiliated licensees from including in an advertisement a name or team name which:

- Uses the terms "realty", "brokerage," "company," or other terms that can be construed as a separate real estate company from their supervising broker's company;
- Is more than 2x greater in font size than the supervising broker's business name in the advertisement; and
- Is not adjacent to the supervising broker's trade name or business name in any digital advertisement

Copies of the proposed regulations and the Economic Impact Statement for the proposed regulations can be viewed at the [KREC website](#).

Next Commission Meeting: We're Traveling to Pittsburg!

The Commission looks forward to visiting the Southeast region of Kansas. The next Commission meeting is Monday, November 18 at 9 a.m. This meeting is open to the public and will be held in the Pittsburg Chamber of Commerce Center, 117 W. 4th Street, Pittsburg, Kansas. If you plan to attend, please call KREC to confirm. More information is available [here](#).

Compliance Resources

by Denise LaHue | Real Estate Specialist/Auditor

My role is to review transaction documents submitted by brokers for their compliance with Kansas real estate laws and regulations. The goal is to assist brokers by identifying areas for improvement and to protect the public by ensuring transaction documents are in compliance with the law.

KREC reviewed approximately 400 brokers in 2019. It is very exciting to issue a letter to a broker stating there were no violations found during the review.

The most common issues found in a purchase contract include missing or incorrect BRRETA disclosure, incorrect escrow agent, earnest money agreement and handling, and closing date. The most common issues found in agency and/or transaction brokerage agreements include no fixed expiration date, missing client or customer signature, missing broker and/or affiliated licensee signature, and a document not in the broker's file.

Additional information is available on the KREC website at: [Compliance Reviews](#) and [Frequently Asked Questions](#).



Who is a Licensee and Who is a REALTOR®?

Many licensees do not understand the difference between the Kansas Real Estate Commission (KREC) and the Kansas Association of REALTORS® (KAR). If you hold a Kansas real estate license, you are a *licensee*. Not all real estate licensees are REALTORS®.

KREC is a state agency that governs real estate practices, issues your license, and enforces license law. All Kansas real estate licensees must abide by the statutes and regulations under the jurisdiction of the Commission.

KAR is a private industry group that provides member services and advocates on behalf of the real estate industry. A REALTOR® is a member of the local, state, and the National Association of REALTORS®. Association members are required to abide by the Code of Ethics and other rules under the membership agreement. In many areas, the local association governs the MLS rules and regulations.

A two-year renewal fee and twelve hours of continuing education are required to maintain licensure through KREC. Separately, membership dues and a Code of Ethics course are required to maintain membership in KAR. KREC and KAR do not share a database. A licensee who is also a REALTOR®, should report contact information and status changes to both KREC and KAR.

Number of Kansas Licensees and KAR Members



Data obtained from KAR and KREC on Oct. 23, 2019.

Disciplinary Actions

Below are disciplinary actions with effective dates of September 15, 2019 or later with respect to revocations, suspensions, and aggregate fines of greater than \$500.

Docket Number	Last Name	First Name	License Number	Violation	Legal Action	Effective Date
19-7735	Coppinger	Jane	00235564	Audit	Fine	10-14-19
19-7805	Edwards	Donald	00230599	Audit	Fine	09-23-19
19-7674	Hare	William	00226716	Audit	Fine	10-17-19
19-7675	Kattenburg	Andrew	00239762	Audit	Fine	10-17-19
19-7767	Troxell-Coons	Tai	00227981	Audit	Fine	10-17-19
19-7676	Wonser	Matthew	00235850	Audit	Fine	10-17-19