

September 2020

COMMISSION NEWS



Newsletter from the Kansas Real Estate Commission

KREC.KS.GOV

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(785) 296-3411

Jayhawk Tower
700 SW Jackson St
Suite 404
Topeka, KS 66603

Next Commission Meeting

October 19

Find more information here. Email KREC to confirm.

Commission Members

Errol Wuertz
Chair, 1st District

Bryon Schlosser
Vice Chair,
2nd District

Joseph Vaught
3rd District

Sue Wenger
4th District

Connie O'Brien
Member at Large

Erik Wisner
Executive Director

Laura Kelly
Governor

Licenses are renewed every two years.

Check expiration date [here](#).

Feedback on Additions to Pre-License Outlines

KREC is soliciting thoughts and ideas on updates to the **Principles of Real Estate** and **Kansas Practice Course** outlines. Please send feedback to kreceducation@ks.gov by September 30, 2020.

Commonly Asked E-Gov Questions

How do I update my email address on file with KREC?

Login to **E-Gov** and then click *Name/Contact Info Change* in the menu on the left side of the screen. Follow the steps on the screen to make edits. Then click *update* to save any changes made to your email or other contact information updated at this time.

Where do I go after I've chosen an option in the Menu?

When managing affiliation changes, reactivations, or verification for licensure click the often-missed **Continue** button to advance to the next step during each of these processes.

Current Licenses

Salesperson	Continue		
License Number:	00241177	License Status:	Inactive
Issue Date:	6/29/2018	Expiration Date:	12/31/2021

What are Ministerial Acts?

While the term is not used often in the real estate field, the concept is important in license law. Ministerial acts are services a licensee may provide for a consumer that are informative in nature and do not rise to the level of active representation. Examples include:

1. Answering questions about availability and pricing of brokerage services and inquiries concerning the price or location of a property
2. Attending an open house and responding to questions about the property from a consumer*
3. Setting an appointment to view property
4. Accompanying an appraiser, inspector, or contractor to a property [See K.S.A. **58-30,102(p)**]

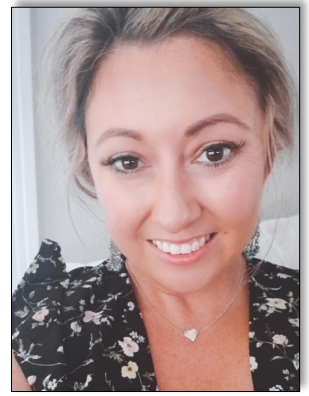
Anything more is considered representation and requires licensees to provide the **Real Estate Brokerage Relationships brochure** to prospective non-commercial sellers and buyers at the first practical opportunity. Licensees should also have a meaningful and informative conversation with customers about their representation options and what to expect from the agent.

*Take care to not confuse these acts by licensed agents with those of unlicensed personnel. The **Guidelines on Activities by Unlicensed Personnel** provides guidance on situations such as open houses.

Complaints Under Review

by Lindsey Bowes | Real Estate Specialist/Investigator

When a complaint is filed that falls within KREC jurisdiction, an investigator or auditor is assigned to collect and review information and documentation. Below are a few helpful tidbits to remember should an investigator or auditor contact you for assistance:



- ⇒ Licensees are required to respond to requests from the Commission. Failing to respond is a violation of K.S.A. **58-3062(a)(20)**.
- ⇒ Add KS.GOV as an approved sender in your email settings to avoid misplaced emails.
- ⇒ It is a licensee's responsibility to provide all requested documents. Providing false statements or altered documents is a violation and could result in disciplinary action.
- ⇒ A case number, "KREC File XX-XXX," is assigned to complaints and provided in the correspondence. Please use this file number when corresponding with KREC staff.
- ⇒ Unless exempt from disclosure, pursuant to K.S.A. **45-221(a)** all information collected during a complaint investigation is subject to the Kansas Open Records Act.
- ⇒ Investigators and auditors review multiple cases simultaneously and respond in the order cases are received. KREC staff are unable to provide status updates on open cases.
- ⇒ Investigators and auditors cannot provide legal advice. If you have a legal question, contact your supervising broker or legal counsel for assistance.

In the end, it is through the collaborative efforts of licensees and KREC that we are all able to protect the public interest in this exciting industry!

Disciplinary Actions

Revocations, suspensions, and aggregate fines greater than \$500 issued 07/15/20—09/14/20.

Docket Number	Last Name	First Name	License Number	Violation	Legal Action	Effective Date
20-8517	Bechler	Glenn	00043836	BRRETA	Fine	7/20/2020
20-8564	Bradley	Brenda	00221866	Audit	Fine	7/20/2020
20-8565	Heise	Robert	00048189	Audit	Fine	7/20/2020
20-8567	Copaken	Jon	00044820	Audit	Fine	7/20/2020
20-8573	Schuster	Devin	00230672	Audit	Fine	7/20/2020
20-8587	Harris	Victor	00232695	BRRETA	Fine	7/20/2020
20-8593	Chitwood	Mike	00235694	BRRETA	Fine	7/20/2020
20-8594	McGinnis	Brandon	00231480	BRRETA	Fine	7/20/2020
20-8465	Cortner	Bud	00220349	Audit	Fine	7/31/2020
19-7785	Anderson	Joshua	00241840	Failure to Comply with Order or Directive	Suspension	8/17/2020
20-8242	Elliott	Christopher	00229319	Failure to Comply with Order or Directive	Suspension	8/17/2020
20-8287	Kimmel	James	00242104	Failure to Comply with Order or Directive	Suspension	8/17/2020
20-8354	Wallace	Bailey	00242199	Failure to Comply with Order or Directive	Suspension	8/17/2020
20-8497	Rice	Shelly	00052510	Failure to Comply with Order or Directive	Suspension	8/17/2020
20-8498	Bellis	David	00239997	Failure to Comply with Order or Directive	Suspension	8/17/2020
21-8928	Levich	Myron	00039118	Working while Expired	Fine	9/7/2020
21-8929	Knotts	Richelle	00217904	Failure to Supervise	Fine	9/7/2020
21-8930	McDade-Brown	Madison	00241809	Working while Expired	Fine	9/7/2020
21-8926	Roy	Josh	00053412	Compensation to Unlicensed Person	Fine	9/8/2020
21-8927	Cortner	Bud	00220349	Failure to Supervise	Fine	9/8/2020
21-8937	Berkgren	Larry	00031199	Audit	Fine	9/14/2020
21-8938	Vanderpool	Randall	00224926	Audit	Fine	9/14/2020
21-8940	Rakoski	Jason	00238026	Audit	Fine	9/14/2020
21-8953	Dille	Carol	00218932	Failure to Report Disciplinary Action	Fine and Public Censure	9/14/2020
21-8961	Farris	James	00052891	Failure to Supervise	Fine	9/14/2020