

Introducing your Commission Members

Marilyn Bittenbender

Marilyn was born in Kansas City, Missouri, but has lived in Kansas most of her life. She graduated from KU with a degree in secondary education, taught for a few years and then stayed at home with her two daughters. Marilyn entered the real estate business in 1988 and has focused her career on commercial sales and leasing, holding CCIM and SIOR designations. Marilyn is a broker at Colliers International with her husband Kelvin Heck, who brokers farm and ranch land sales. They recently moved onto 75 acres in the country, away from Internet, Skype, and On-Demand TV. Marilyn's hobbies include spending time with her seven grandkids, reading, and learning about the wildlife on her land. Marilyn was appointed to the Commission in 2006 and serves the 2nd district.

Sue Wenger

Sue was born in Vienna, Missouri, but has lived in Kansas for 35 years. Sue is a broker with J.P. Weigand & Sons, Inc. in Derby, Kansas. She has three daughters: a psychologist, a teacher, and a Air Force veteran who recently began pursuing a medical career; and five granddaughters under the age of four! Sue loves to sing and has a background in music. She and her husband, Mike, will be celebrating 43 years of marriage in December. Between singing, raising children, and over 30 years in real estate, she is doing what she loves! Sue was just appointed to the Commission in June and will be serving as representative of the 4th district.

Shirley Cook

Shirley is a native Kansan and has lived in Topeka for 35 years. In fact, Shirley's ancestors can be traced back to William Bradford, with six generations of Kansans. She received her Bachelor in Social Work from Washburn University and her Masters in Social Work from the University of Kansas. In addition, Shirley is currently training at Central Baptist Theological Seminary. She is also a certified mediator and completed the very first juvenile victim/offender agreements in Shawnee County. Shirley and her husband, Vince, have five children and 11 grandchildren. Shirley was appointed in 2012 and serves as the public member of the Commission.

Errol Wuertz

Errol was born in Findlay, Oklahoma and received his Masters in Communication from Fort Hays State University. He worked 25 years in radio and TV broadcasting, both on air and in management positions. Errol joined the real estate community in 1978. He is the broker/owner of Heartland Realty of Hays, LLC, holding CRS, SRES, e-Pro and CDPE designations. Errol is also a Certified Real Property Appraiser and served on the first Kansas Appraisal Board. Errol was President of the HBOR, on the Hays City Commission, a reserve deputy sheriff, and a charter member of the Hays Sunrise Rotary. He is member of the Kansas Wing of the Civil Air Patrol, Hays Photography Club, Chamber of Commerce, Fort Hays Shrine Club and the Hays Masonic Lodge. Errol and his wife have been married 40 years, with four grown children and eight grandchildren. Errol was appointed in 2011 and represents the 1st district.

Joseph Vaught

Joe has been a licensed real estate agent in Kansas and Missouri since 1998, and provides commercial real estate services to Wyandotte County and the greater Kansas City area. He is on the Kansas City Regional Association of Realtors and on the KAR Board of Directors. Joe was a member of the City Council that helped establish the Wyandotte County Unified Government, and, along with his two sons, founded the Vaught Group in 2006. Joe was appointed to the Commission in June and represents the 3rd district.

Mission Statement

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.

Education Corner



The Continuing Education and Pre-License Course directories have a new look! Please take a few minutes to check them out. Just click on the **"Education"** link on the KREC website.

Schools are listed alphabetically, and check boxes indicate which courses are offered via classroom or distance (online, correspondence, etc.) education. Use the school contact info to inquire about enrollment, fees and the time, date and location of a course (classroom only).

All four pre-license courses are now included in one directory and grouped according to course name (i.e., broker pre-license, Kansas law, etc.).

Do we have your email address?

In this digital age, KREC has started using email as a primary means of communication with licensees. Now's the time to update your contact information: Licensee Contact Info Change Form ([REL-120](#)).



Messy mix-ups

Wall Licenses

Have you submitted a licensee or company change form lately? Did you remember to include the wall licenses?

It's the most common KREC paperwork mistake Please mail the original wall license or email/fax a copy with the following:

- License marked "Cancelled"
- Signature of the supervising broker
- Printed name of the supervising broker
- Current date

RENEWAL REMINDERS

	Renewal Due	Expiration Date	Late Renewal Due
C*	1/31/13	2/28/13	8/31/13
D - E*	3/31/13	4/30/13	10/31/13
F - G*	5/31/13	6/30/13	12/31/13
H	7/31/13	8/31/13	2/28/14
I-L	9/30/13	10/31/13	4/30/14

*past due



Advice Column

HUD contracts getting you down? Did you get an audit **order from the Commission because HUD wouldn't sign a disclosure addendum?** We at KREC are sorry to hear about your troubles and understand that HUD will not sign forms with state-required disclosures. The Commission requires that for each transaction, the licensee document their attempt to get HUD to sign forms with required disclosures by placing a copy of the email or letter they sent to HUD requesting signatures in the transaction file. The Commission does not require that HUD responds, just that you attempt to contact them. If HUD does respond, put a copy of that correspondence in the **transaction file, too. This shows the licensee's attempt to comply with Kansas law. So next time you're doing a HUD transaction, don't just write "HUD refused to sign" on the signature line. Do it right!**

Note: This also applies to AMCs. Also remember, if you are not the listing brokerage, you need to correspond with the listing agency and not with the seller directly.

Online Forms

KREC recently released new and updated EDUCATION forms, which are now available on the KREC website!

Education forms comprise the RE-800 series. Please review the Form Index to make sure you are using the right form to request individual credit for CE, register a course, request instructor approval, update course information or proctor an exam.

Forms are now available as fillable PDFs and must be typed. Incomplete or old KREC forms will not be accepted and will be returned unprocessed.

NOTE FOR ALL FORMS:

Make sure you have the most CURRENT version of a KREC form by checking the website every month for changes. Form revision dates can be found on the bottom right corner of each form.

Interested in attending the next

Commission Meeting

July 11, 2013 9:00am

August 22, 2013 9:00am

KREC Office

Public Comment at the end

ROUTINE REMINDER

At their August 14, 2008 meeting, the Commission determined that signature stamps would no longer be accepted on KREC forms after October 1, 2008. Notice of the new requirement was e-mailed to all supervising and branch brokers on August 20, 2008 and was included with all outgoing licenses for six weeks prior to the effective date.

If a supervising broker or branch broker is not going to be available, the broker must either:

1. Provide a letter signed by the supervising broker or branch broker with each form submitted to KREC stating the name of the associate broker to which the supervising broker or branch broker has given permission to sign on his or her behalf and the specific dates such authority is valid; or
2. Provide a copy of a Power of Attorney giving a specific associate broker legal authority to sign forms submitted to the **Commission on the supervising or branch broker's behalf.**

The supervising broker will still be held accountable to supervise the office and affiliated licenses. A change in supervising broker should be considered if the supervising or branch broker is absent and cannot adequately fulfill their supervisory duties.



Inactive Notifications

Affiliation with a referral office is still considered Active status, which means the 12 hour CE requirement must be completed in order to renew your license.

got title insurance?

The Kansas Department of Insurance published a brochure on Title Insurance in September 2012. The brochure answers the following questions: What is title insurance? What types are available? How do I purchase a title insurance policy?

This could be great tool for your clients, and can be found at <http://www.ksinsurance.org/>



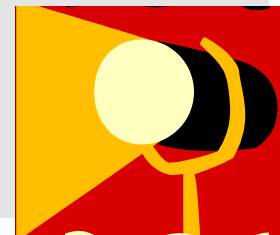
Fingerprints



The Commission is unable to accept personal checks for fingerprint fees. If a personal check is submitted, the Commission is required to wait for the check to clear before sending the fingerprints to the KBI/FBI. This can result in a two week delay in processing your fingerprints and receiving the KBI/FBI report. For some, that may mean the expiration of one or more sections of the application. If you are submitting fingerprints, send a **cashier's check or money order.**



Legal Spotlight



Recently, the Commission has received several complaints alleging that licensees are advertising or conducting real estate business using a name different than how they are licensed. This is also the case for certain company names. Pursuant to K.S.A. 58-3086, advertising cannot be confusing or misleading to the public. The Commission has interpreted this to mean that advertising must be tailored to the name printed on your real estate license, and the company name approved by the Commission.

If your license reads John Smith III, but you prefer to advertise as Trey Smith, you need to change your name with the Commission or adjust your advertising.

If your company name is Smith Realty, Inc. but you prefer to advertise as Trey Smith Realty, you need to adjust your advertising to reflect the company name that was approved by the Commission.

Failure to comply with Kansas law may result in an investigation and possible disciplinary action, including warning letters, fines, or action against your license.

Multiple Company Affiliations

If you are affiliated with more than one office, an additional \$10 fee is required at the time of renewal for each additional company affiliation. But if you are only affiliated with one office, no additional fee is required.

Remember, salespersons cannot be affiliated with more than one office unless they are supervised by the same supervising broker or branch broker.

Commission Staff

Sherry C. Diel, Executive Director

Wendy Alkire	Compliance Supervisor
Lynn Comfort*	Auditor
David Pierce*	Director of Enforcement

Kelly White*	Director Licensing, Education
Brooke Daniels	New Licensing, Renewals
Jandie Edington	Reception, License Changes
Janet Pierce	HR and Accounting

Vacant Position	Attorney
Laurel Lowrie	Legal Assistant

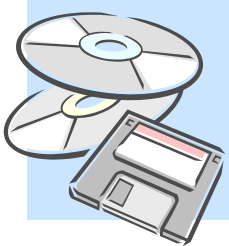
*Kansas Real Estate Licensee

AUDIT ALERT

The **AUDIT BY MAIL PROGRAM** starts now! What does it mean for brokers?

Audits will be conducted by mail and auditor travel will be very limited. This program is being implemented to more efficiently and economically examine broker records as a result of recent budget constraints.

When it's time for your audit, a KREC Auditor will contact you and request that you complete the Audit Questionnaire (REC-550), which is available on the KREC website. You will complete and return the Audit Questionnaire along with a copy of your transaction log. The Auditor will use the Questionnaire to request submission of certain transaction files to the KREC office. If the broker maintains a trust account, documentation for the trust account will be requested.



You may submit documents to KREC by mail, email attachment, CD or flash drive. You may also provide the auditor with remote electronic access to your files, if the technology is available in your office. **WARNING:** Documents will not be returned! All records submitted in conjunction with the audit request will be reviewed for compliance with Kansas law. At the conclusion of the audit, records not resulting in a violation or warning will be promptly destroyed.

Upon completion of the audit, the Auditor will contact you for a brief closing interview. You will receive notice of any violations in the form of a warning letter or legal order.

Please be patient with Commission staff as we seek to implement this program and make it a smooth process for all involved. Your cooperation in making this program a success is appreciated!



Happy
4th
of
July!