

My broker's trade name isn't on this sign. I'll fix it later.



Who's selling this house? There's no company name... how do we know what company John is with?



That's better! Now I've got my supervising broker's business name conspicuously displayed.



I'm from KREC. Your advertising doesn't comply with Kansas law. It's misleading to the public and doesn't include the required info per KSA 58-3086(a) and (b). This can result in a warning or a fine.



Members of the Kansas Real Estate Commission

Kathy Copeland, Overland Park, 3rd District—Chair
 Marilyn Bittenbender, Lawrence, 2nd District
 Errol Wuertz, Hays, 1st District



Tim Holt, Kingman, 4th District—Vice Chair
 Shirley Cook, Topeka, member at large

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.

Continuing Education Corner



How many continuing education hours have you completed? And how many are on file with the Commission? If you've lost track, visit our website to find out how many CEU hours you have. Go to www.kansas.gov/krec and click the "Check CEU hrs" button at the top of the page.



INACTIVE NOTIFICATIONS

Earlier this year, the Commission voted to discontinue sending notifications to licensees placed on inactive status, if the licensee specifically requested the status change. You can check a licensee's current status by clicking "[License Search](#)" on the KREC website.

Licensee Information

License Number:	██████████
Name:	██████████
License Type:	Salesperson
License Status:	Inactive
License Expiration Date:	Oct 31 2014
Current License Issued:	Nov 10 1999
	A date of Jan 1, 1974 is u
License Restriction:	NONE
	For more information con
Disciplinary Action:	NONE
	Minor infractions resulting

RENEWAL REMINDERS

	Renewal Due	Expiration Date	Late Renewal Due
B*	11/30/12	12/31/12	6/30/13
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

*past due

New Online Forms

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

Now there is a separate form for each activity—address change, license transfer, company name change, change of supervising broker, etc. Instructions are available on each form. Forms are now available as fillable PDFs and must be typed. Incomplete or partially incomplete forms will no longer be accepted and will be returned unprocessed.

After June 1, 2013, KREC will no longer be accepting old forms.

Legal Spotlight

Reporting Requirements:

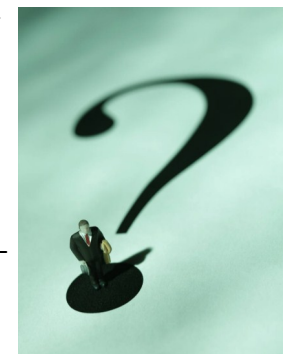
Have you been charged with, convicted of, or plead guilty or no contest to a misdemeanor or felony? Have you recently had disciplinary action taken against a real estate in another state or any other professional license? If so, you are required to report those charges, convictions, or actions to the Commission within 10 days of occurrence. That's not very long! See KAR 86-3-15. And just because you think your recent ticket for "no proof of insurance" was a minor traffic offense, doesn't mean that you're right. It might be a misdemeanor in the state of Kansas. That charge and many more are reportable offenses. Check out our website for a list of "[minor traffic infractions](#)." If your charge or conviction isn't on there, it's not minor and WE NEED TO KNOW! If you need help reporting to the Commission, try using the new Reporting Forms - series [REL-700](#).



Questions?

We can help!

The KREC staff has posted a ton of [Frequently Asked Questions](#) on the website. Everything from licensing, to complaints, to continuing education, to audits, to BRRETA. Now it's all at your fingertips. Just click on the "FAQs" link. KREC would like this to be your first stop for questions. If you still don't have an answer, give us a call.



Guidance Documents

The Commission has recently adopted a series of Guidance Documents that dictate agency policy when making decisions regarding applications, renewals, discipline, audits and complaints. These policies can be found on the KREC website under "[Guidelines and Helpful Information](#)." Here are two items that might catch your attention:

1. Applicants for an original license who have not completed any probation, parole or diversion will be denied a license.
2. Complaints must be submitted in writing on the Complaint Form ([RE-650](#)) and will be investigated based on the KREC priority policy.

HAVE YOU MOVED?

Don't forget to change your residential address with KREC! Pursuant to K.A.R. 86-3-15, you're required to update your address with the Commission within 10 days of the change. Complete and return the Licensee Contact Info Change Form ([REL-120](#)) on the KREC website under "Forms."



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Online License Management System

Over the next few months, the KREC staff will be working to implement an upgraded online system that will enable licensees to renew their license, update their name and contact information, check CE hours, and make transfer, add/remove company, and other requests... ALL ONLINE! Companies and supervising brokers will have the same options. The new system will send emails and confirmation requests directly to the supervising or branch broker, to create an easier and more efficient exchange of information.

For you non-tech-savvy users, don't worry. We will have FAQs and training materials available when the time comes, and electronic forms will still be available on our website if you're not comfortable using the new system.

AUDIT ALERT

On July 1, 2013, the Commission is instituting the **AUDIT BY MAIL PROGRAM**. Auditors will be authorized to travel only as deemed necessary. This program is being implemented to more efficiently and economically examine broker records as a result of recent budget constraints. It is also intended to be more convenient so that brokers will not have to set aside time from daily activities to meet for a personalized examination. When it's time for your audit, a KREC Auditor will contact you and request that you complete the Audit Questionnaire. The Auditor will use the Questionnaire to request submission of certain transaction files (sales and commercial leases) to the KREC office. Submissions may be made by mail, email attachment, CD or flash drive. Upon completion of the audit, the Auditor will contact you for a brief closing interview. Your cooperation in making this program a success is appreciated!



Advice Column

The Commission receives countless phone calls, email inquiries, complaints, and more from licensees and consumers that want answers to questions regarding the practice of real estate. KREC staff members are here, in part, to help answer those questions and to investigate matters that may suggest a violation of the license law or BRRETA, but cannot provide legal advice. For that, you may need to seek the assistance of a private attorney. But you have other resources at your disposal... a supervising or branch broker, your local Realtors® Association, CE providers, or fellow Kansas licensees. If you are a licensee, ask your broker for help first. If you are a consumer calling with a question or complaint, talk to your agent's supervising or branch broker first. If you're still stuck, then call KREC.

Interested in attending the next
Commission Meeting
May 9, 2013 9:00am
KREC Office
Meetings are generally held the second Thursday of each month.
Public Comment at the end limited to 10 minutes.

Commission Staff

Sherry C. Diel, Executive Director

Wendy Alkire	Compliance Auditor
Lynn Comfort*	Auditor
John Palo*	Auditor
David Pierce*	Special Investigator
Kelly White*	Director Licensing, Education
Brooke Daniels	New Licensing, Renewals
Jandie Edington	Reception, License Changes
Janet Pierce	HR and Accounting
Alexandra Blasi	Attorney
Laurel Lowrie	Legal Assistant

*Kansas Real Estate Licensee

Discipline Download

Due to budget constraints, the Commission will no longer be sending **FINE RECIEPTS** to licensees. If you're wondering whether we received your fine payment, you may send your payment certified return receipt. Otherwise, if you don't hear from KREC... no news is good news!

If you've received a **WARNING LETTER** from the Commission, there is no need to call the KREC office or write a letter regarding the warning. No discipline is being taken. You are merely being warned that the Commission has been made aware of minor license law violations and the issue(s) needs immediate attention and correction. If the Commission receives notice or evidence of a subsequent and similar violation, or you fail to make the necessary corrections, then your file may be referred for disciplinary action, including license suspension or revocation, or assessment of the maximum fines allowed by law.

The Commission has received a large number of calls expressing confusion about legal orders. If you're confused, make sure you've read **BOTH sides** of the page! KREC is attempting to lower the cost of paper and postage by printing on both sides of the page. Before you give us a call, make sure you have pages 2, 4, 6, etc.



When calling the KREC office, please listen carefully to the prompts before making your selection. This will enable you to reach the right person and avoid delays in receiving the information you desire.

Please reproduce and distribute this newsletter as you wish. We encourage posting of the newsletter so licensees and consumers may review the information contained in this issue. Submit any comments or suggestions to krec@krec.ks.gov.



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](#)).



Advance Listing Fees - A Review

Anytime a licensee or a non-licensed individual receives money for advertising real estate for sale or lease before such services are rendered, it qualifies as an advance listing fee. That includes fees for listing, advertising, or offering property for sale/lease, unless all inquiries about the real estate are directed to the owner or a licensed broker. KSA 58-3035(b).



If a licensee receives an advanced listing fee, the money must be turned over to the licensee's supervising broker. KSA 58-3062(b)(2).

If a supervising broker receives an advanced listing fee on behalf of him/herself or an affiliated licensee, the money must be deposited in a trust account pursuant to KSA 58-3061(a), unless all interested parties agree otherwise. This agreement must be in writing.



MESSY MIX-UPS

When sending paperwork to KREC, **REMEMBER THE WALL LICENSE!!!** The most common mistakes leading to the return of incomplete paperwork are failure

to return the wall license for cancellation or failure to properly cancel a copy of the wall license when returning it electronically. Almost all license and company forms require returning the wall license, or a copy of the wall license marked cancelled, signed and dated by the supervising broker, and with the supervising broker's printed name.