Changes for Non-resident Brokers

The Kansas legislature recently passed and the governor signed into law SB 352. The Commission requested introduction of this bill in order to change a provision in Kansas law that prohibited the Commission from granting any non-resident broker applicant any license other than a Kansas broker’s license. The approved change will allow non-resident brokers to apply for a Kansas salesperson license if they do not meet the qualifications for licensure as a Kansas broker. The non-resident salesperson will still be required to affiliate with a Kansas broker. The law will go into effect July 1, 2016. Visit http://krec.ks.gov/legal-resources/legislative-regulatory-updates for more information.

Activity of Unlicensed Personnel

Frequently, KREC receives questions about the use of unlicensed personnel to host open houses and show property. It is strongly advised that brokers review the complete list of guidelines, found at http://krec.ks.gov/compliance/informational-documents. While the guidelines address many of the situations faced by real estate licensees and their unlicensed coworkers in daily practice, they are not intended to apply universally in all circumstances.

Hosting open houses. The Commission does not recommend this task. It is permissible, under the license act within very narrow restrictions, for unlicensed personnel employed in a real estate office to host open houses for licensees. They must be serving strictly as a monitoring host, greeting prospective buyers and handing them printed information prepared by the builder, owner, or licensee. They may not explain or interpret information, discuss or make representations about the terms of sale, the home or property, or solicit new listings or new clients/customers. All questions must be referred to the owner or a licensee. Brokers who choose to allow an unlicensed person to host an open house are strongly urged to closely monitor such activity. If the unlicensed person goes beyond what is permissible, the broker remains legally responsible for their actions.

Showing property. Unlicensed personnel may not show property. Unlicensed personnel are also restricted from discussing anything related to the property or related to its purchase. They may only confirm the property is listed, identify the listing broker or salesperson, and furnish publicly available information on the listings of the employing brokerage to real estate licensees affiliated with other brokerage firms and members of the public when asked about a particular property.
Electronic Signatures

Recently, the Commission rescinded the prohibition on accepting signature stamps or electronic signatures by licensees and applicants for all KREC forms.

The Forms Library located at http://krec.ks.gov/form/library is being updated to remove “No Electronic or Stamped Signatures Permitted” from the signature lines of several forms.

The Commission still requires that signatures come from the actual individual and not by proxy; however those can now be done electronically if the individual chooses to do so. Also, this does not supersede certain requirements for forms that require a notarized signature.

Employee Spotlight

Wendy Alkire is the Director of Compliance at KREC. She grew up in Washington State and as a young adult moved to Juneau Alaska. In Juneau, she managed a real estate office and was a licensed assistant for eight years before her family was transferred with the military. After a few years in Georgia, Wendy and her family moved to Kansas where she began managing a real estate office in Topeka. In March of 2007, she started as an investigator with KREC before being promoted to Auditor Supervisor and eventually Director of Compliance. Wendy has two daughters and recently became a grandmother to a sweet little boy. She enjoys golfing, boating, hiking and spending time with family and friends.

Renewal Reminders

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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.

Commission Members

Sue Wenger, Chair, 4th District | Joseph Vaught, Vice Chair, 3rd District
Errol Wuertz, 1st District | Bryon Schlosser, 2nd District | Shirley Cook, Member at Large