

**AGENDA**  
**February 2, 2026**

Zoom Meeting  
Meeting Link: [bit.ly/4bHKEM4](https://bit.ly/4bHKEM4)  
Meeting ID: 161 0845 5048  
Meeting Passcode: 854746  
833-568-8864

9:00 a.m. Call to Order – Additions to Agenda

- Approval of December 15, 2025, Commission Meeting Minutes
- Staff Reports
  - Licensing, Education and Communication Report (Nutt)
  - Compliance Report (Sailer)
  - Director's Report (Wisner)
- Public Comment
- Reorganization pursuant to K.S.A. 74-4202(a). *At the first meeting of the commission after January 1 of each year, or as required thereafter, the members shall elect a chairperson and a vice-chairperson from its membership. The members elected shall serve for a term of one year or the remainder of the term, as the case may be.*
  - Appointment of members to I-Team
- Adjournment

Upcoming Commission Meeting Dates:

- April 6
- June 8

# APPROVAL OF MINUTES

**MINUTES OF THE MEETING**  
Kansas Real Estate Commission  
December 15, 2025

The Kansas Real Estate Commission held its regular meeting on Monday, December 15, 2025, in-person and via Zoom teleconference at the Kansas Real Estate Commission office.

**Commission Members Present:**

Natalie Moyer, Chairperson  
Bryon Schlosser, Member  
Marsha McConnell, Member  
Jacqueline Kelly, Vice-Chairperson  
Kathleen Minden, Member

**Staff Present:**

Erik Wisner, Executive Director  
Amber Nutt, Licensing and Education Director  
Lindsey Bowes, Legal Assistant  
Tasha Coleman, Real Estate Specialist/Investigator  
Breanna Lindstrom, Real Estate Specialist  
Madison Collazo, Senior Education and Licensing Officer  
Kiereon Sisney, Real Estate Specialist  
Lynn Comfort, Real Estate Specialist  
Tasha Sailer, Compliance Director  
Heather Gillie, Licensing Assistant  
Lisbeth Henrikson, Real Estate Specialist

**Kansas Real Estate Commission Legal Counsel:**

Joseph Behzadi, Assistant Attorney General  
Paul Keithley, Assistant Attorney General  
Spencer Taylor, First Assistant Attorney General  
Angela Stockdale, Legal Assistant

**Members of the Public:**

Ana Mendonca	Katelyn Taylor	Mark Tomb	Mark Barker	Todd Woodburn
Lauren Sams	Kathy McCarty	Tim Cossaart	Josh Waters	Erin B
Maranda DeSanto	Adam Crowder	Chris Fosgate		

**Call to Order**

Ms. Moyer called the meeting to order at 9:01 a.m.

**Approval of the Minutes of the October 8, 2025 Meeting**

Ms. McConnell moved to approve the minutes of the October 8, 2025, meeting. Ms. Minden seconded the motion. Motion carried unanimously.

**Hearing of Victoria Smith, Docket 26-0126**

**Hearing of Aubrey Goertz, Docket 26-0265**

### **Licensing, Education and Communication Report**

Staff have approved 1 pre-license course and 32 continuing education courses in FY26. Pearson VUE has administered 1,562 exams with an overall pass rate of 63% in FY26.

Ms. Nutt provided an update on the creation of the asynchronous distance compliance courses.

As of December 2025, there are 18,501 licensees, which is a decrease of 212 compared to December 2024. There are 16,859 active licenses (13,633 Salesperson, 3,226 Broker), 731 inactive licenses (661 Salesperson, 70 Broker), 905 expired renewable licenses (796 Salesperson, 109 Broker), and 6 suspended licenses (5 Salesperson, 1 Broker). There are a total of 2,441 open offices (2,235 Company and 206 Branch offices).

### **Compliance Report**

Staff have closed 153 complaints and completed 275 compliance reviews (171 with transactions and 89 with no transactions) so far in FY26.

Ms. Sailer provided a draft of language for the proposed disclosure of licensee personal interest regulation change to the Commission for review and guidance. Ms. Minden asked for clarification on the “effective date” for the language inclusion. Ms. Moyer provided feedback on the clarity of each option, with the focus on ensuring any proposed language is clear to the consumer. Mr. Schlosser provided feedback regarding the ability to comply with the proposed changes in a commercial transaction. Ms. Kelly and Mr. Schlosser discussed the use of required or suggested language in a commercial transaction. Ms. Minden provided feedback on the checkbox clarity in a residential transaction. Mr. Wisner provided clarification on the difference between a Commission recommended resource and a regulation that requires the exact language for a disclosure. The Commission requested an attorney-reviewed draft of both Option A and Option B to be provided to the Commission for approval at a future meeting.

Maranda DeSanto, Chief Executive Officer of the Kansas Association of REALTORS, shared the association has drafted forms and are awaiting Commission guidance on how to move forward with additional disclosure of license interest. Ms. DeSanto asked that a sample form to be created alongside any upcoming regulation change.

Compliance courses are scheduled for March 10, 2026 for BRRETA and February 26, 2026 for Broker Supervision.

### **Director's Report**

The real estate fee fund balance as of November 30, 2025, is \$1,556,497 which is up \$19,065 from July 1, 2025. Real estate fee fund receipts for FY26 are \$579,081 and real estate fee fund expenditures for FY26 are \$553,721. Ms. Moyer asked if there was a way to know the number of applicants which have paid the application and fingerprint fees but have not completed the application process. Mr. Wisner plans to provide additional information on this question in a future commission meeting.

Mr. Wisner provided performance metrics included in the FY26-27 budget submission.

Mr. Wisner provided an update on possible topics for the 2026 Kansas legislative session.

Mr. Wisner provided an update on the Accela licensing system transition and pending deliverables and budget.

Mr. Wisner provided information on the Legislature's 5-year regulation review report which is due July 15, 2026.

Mr. Wisner presented a letter from the Kansas State Attorney General relating to the Kansas Land and Military Installation Protection Act. Mr. Wisner recommended providing information on the Kansas Land and Military Installation Protection Act in a future Commission newsletter.

Mr. Wisner provided an update on a title/deed fraud information task force.

Mr. Schlosser moved that the Commission designate and delegate to the Executive Director its authority to provide testimony to the Legislature or answers to Legislators or Legislative Committees, during the 2026 Legislative Session, including any 2026 Special Session, on policies decided by the Kansas Real Estate Commission. Further, I move that the Executive Director is required to notify the Commission of the testimony or answers at the next meeting. Ms. Minden seconded the motion. The motion carries unanimously.

Ms. Kelly moved that the Commission designate and delegate to the Chairperson, or the Vice Chairperson, its authority to provide testimony or answers to Legislators or Legislative Committees, during the 2026 Legislative Session, including any 2026 Special Session, on policies that have not been finally determined by the Commission but requires an immediate response by the Commission to the requestor. Any testimony or answers to Legislators or Legislative Committees from the Chairperson, or the Vice Chairperson as the case may be, may be conveyed through the Executive Director. Further, I move that the Chairperson, or the Vice Chairperson as the case may be, is required to notify the Commission of the testimony or answers at the next meeting, whether at a special meeting or at the regularly scheduled meeting. If the Commission approves of the testimony or answers provided, the Chairperson, or the Vice Chairperson shall obtain ratification by the Commission. If the Commission disapproves of the testimony or answers provided, the Chairperson, or the Vice Chairperson shall immediately withdraw the prior testimony or answers and shall provide the requestor with the Commission's approved policy. Ms. McConnell seconded the motion. The motion carries unanimously.

Mr. Schlosser asked for resources and information on how to report cybercrime and fraud be provided in a future Commission newsletter.

#### **Executive Session – Information Security Matters**

Ms. Minden moved the Commission recess into executive session. The justification is to discuss matters relating to security measures that protect the information system of a public body or agency, and which security measures would be jeopardized if discussed in an open meeting, pursuant to K.S.A. 75-4319(b)(12)(C). The subject is the Legislative Post Audit IT Security Audit Report for the Kansas Real Estate Commission. We require Erik Wisner, Executive Director, Joseph Behzadi, Assistant Attorney General, and Paul Keithley, Assistant Attorney General, to be admitted to the executive session to aid the Commission in its discussions. The Commission will reconvene the open meeting at 700 SW Jackson St., Suite 404, Topeka, KS 66603 in 15 minutes at 11:30 a.m. Ms. Kelly seconded the motion. The motion carries unanimously.

The Commission went into executive session at 11:15 a.m.

The meeting reconvened at 11:30am.

#### **Executive Session – Privileged Attorney-Client Communications**

Ms. McConnell moved the Commission recess into executive session. The justification for closing the meeting is for consultation with the Commission's counsel about matters privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2). The subject to be discussed is legal advice concerning matters relating to the application review process. We require Joseph Behzadi, Assistant Attorney General, Paul Keithley, Assistant Attorney General, and Erik Wisner, Executive Director, to be admitted to the executive session to aid the Commission in its discussions. The Commission will reconvene the open meeting at 700 SW Jackson St., Suite 404, Topeka, KS 66603 in 35 minutes at 12:15 p.m. Mr. Schlosser seconded the motion. The motion carries unanimously.

The Commission went into executive session at 11:40am.

The meeting reconvened at 12:15pm.

Ms. McConnell moved the Commission recess into executive session. The justification for closing the meeting is for consultation with the Commission's counsel about matters privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2). The subject to be discussed is legal advice concerning matters relating to the application review process. We require Joseph Behzadi, Assistant Attorney General, Paul Keithley, Assistant Attorney General, and Erik Wisner, Executive Director, to be admitted to the executive session to aid the Commission in its discussions. The Commission will reconvene the open meeting at 700 SW Jackson St., Suite 404, Topeka, KS 66603 in 15 minutes at 12:30 p.m. Ms. Minden seconded the motion. The motion carries unanimously.

The Commission went into executive session at 12:15pm.

The meeting reconvened at 12:30pm.

Ms. McConnell moved that Ms. Kelly be assigned to review all broker applications to make an initial decision until February 2, 2026 or the next meeting of the Commission and that the Executive Director draft revisions to the application approval guidelines that delegate authority for staff to approve certain applications to be presented on February 2, 2026 or the next meeting of the Commission. Mr. Schlosser seconded the motion. Mr. Schlosser asked if the initial decision designation should also include salesperson applications. Ms. McConnell amended her motion to include all applications. Ms. Minden seconded the motion. The motion carries unanimously.

### **KORA/KOMA Training**

### **Adjournment**

The meeting adjourned at 1:21pm.

# STAFF REPORTS

LICENSING,  
EDUCATION &  
COMMUNICATION  
REPORT

## MEMO

DATE: February 2, 2026

TO: Kansas Real Estate Commission Members

FROM: Amber Nutt  
Director of Licensing and Education



Jayhawk Tower  
700 SW Jackson Street, Suite 404  
Phone: 785-296-3411 Fax: 785-296-1771  
krec@ks.gov  
www.krec.ks.gov

## Licensing and Education Department Report for FY26 (As of 01/21/26)

**Education Report Summaries** – See attached

Course Applications	Dec 2025	FY26 Total	FY25 Total
In-person	2	14	73
Virtual (synchronous)	0	0	17
Distance (asynchronous)	2	23	53
Pre-License	0	1	21
Continuing Education	4	36	122
Elective	4	33	120
Mandatory	0	2	2
Withdrawn or Denied	0	0	2
<b>Total Processed</b>	<b>4</b>	<b>37</b>	<b>143</b>

Exam Performance	FY26 Total	FY25 Total
Broker Pass Rate	74%	64%
Salesperson Pass Rate	63%	58%
<b>Overall Pass Rate</b>	<b>64%</b>	59%
Broker Total Exams	121	179
Salesperson Total Exams	1,682	2,400
<b>Total Exams</b>	<b>1,803</b>	2,579

**Licensing Report Summaries** – See attached

License Status	Jan 2026	Jan 2025
Active	16,749	16,847
Inactive	857	865
Expired (Renewable)	844	990
Suspended	4	11
<b>Total Licenses</b>	<b>18,454</b>	18,713

Open Company Status	Jan 2026	Jan 2025
Branch	205	202
Company	2,246	2,229
<b>Total Open</b>	<b>2,451</b>	2,431

Applicant Status Summary - Pending	Jan 2026	Jan 2025
Salesperson Application	22	43
Broker Application	8	13
Salesperson Pre-License	1,547	N/A*
Broker Pre-License	100	N/A*

\*In January 2025, 183 total pending applicants and 1,715 fingerprint submissions

**Verbal Report:**

- Alabama Real Estate Commission Meeting Visit
- ARELLO Board of Directors 2026 Update

# New Courses From 12/1/2025 to 12/31/2025

## Continental Title Co.

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<u>Course Type</u>	<u>Course #</u>	<u>Course Title</u>	<u>Hours</u>	<u>Status</u>	<u>Location</u>
CE Elective	E20667	Show Me The Title	3	Active	In-Person

## KANSAS REALTORS Inc.

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<u>Course Type</u>	<u>Course #</u>	<u>Course Title</u>	<u>Hours</u>	<u>Status</u>	<u>Location</u>
CE Elective	E20669	Beyond City Limits: Rural Property Essentials in Kansas	3	Active	Distance

## KAPLAN REAL ESTATE EDUCATION

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<u>Course Type</u>	<u>Course #</u>	<u>Course Title</u>	<u>Hours</u>	<u>Status</u>	<u>Location</u>
CE Elective	E20670	The Errors Tour: Real Estate Edition	4	Active	Distance

## Weddle and Sons, Inc

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<u>Course Type</u>	<u>Course #</u>	<u>Course Title</u>	<u>Hours</u>	<u>Status</u>	<u>Location</u>
CE Elective	E20666	Roofing and Real Estate	3	Active	In-Person

## Exam Performance Summary by Fiscal Year (FY22-FY26)



Fiscal Year	First Time Takers					Repeat Takers					Overall Statistics				
	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate
<b>FY2022</b>															
Broker	160	120	75%	40	25%	67	36	54%	31	46%	277	156	69%	71	31%
Salesperson	2,052	1,398	68%	654	32%	1,207	563	47%	644	53%	3,259	1,961	60%	1,298	40%
Total	2,212	1,518	69%	694	31%	1,274	599	48%	675	52%	3,486	2,117	61%	1,369	39%
<b>FY2023</b>															
Broker	157	105	67%	52	33%	89	44	49%	45	51%	246	149	61%	97	39%
Salesperson	1,744	1,133	65%	611	35%	1,121	505	45%	616	55%	2,865	1,638	57%	1,227	43%
Total	1,901	1,238	65%	663	35%	1,210	549	45%	661	55%	3,111	1,787	57%	1,324	43%
<b>FY2024</b>															
Broker	137	90	66%	47	34%	107	44	41%	63	59%	244	134	55%	110	45%
Salesperson	1,565	1,044	67%	521	33%	1,064	462	43%	602	57%	2,629	1,506	57%	1,123	43%
Total	1,702	1,134	67%	568	33%	1,171	506	43%	665	57%	2,873	1,640	57%	1,233	43%
<b>FY2025</b>															
Broker	116	76	66%	40	34%	63	39	62%	24	38%	179	115	64%	64	36%
Salesperson	1,604	1,064	66%	540	34%	796	336	42%	460	58%	2,400	1,400	58%	1,000	42%
Total	1,720	1,140	66%	580	34%	859	375	44%	484	56%	2,579	1,515	59%	1,064	41%
<b>FY2026</b>															
Broker	98	75	77%	23	23%	23	14	61%	9	39%	121	89	74%	32	26%
Salesperson	1,199	849	71%	350	29%	483	210	43%	273	57%	1,682	1,059	63%	623	37%
Total	1,297	924	71%	373	29%	506	224	44%	282	56%	1,803	1,148	64%	655	36%

## EXAM PASSING RATES BY SCHOOL FOR FY26 (July 2025 -December 2025)



Kansas Broker	First Time Takers					Repeat Takers					Overall Statistics				
	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate
Career Education Systems - Kansas City	52	44	85%	8	15%	7	4	57%	3	43%	59	48	81%	11	19%
Kansas Association of REALTORS	7	6	86%	1	14%	1	0	0%	1	100%	8	6	75%	2	25%
Career Education Systems - Online	17	14	82%	3	18%	3	1	33%	2	67%	20	15	75%	5	25%
Perry Real Estate College	9	6	67%	3	33%	6	4	67%	2	33%	15	10	67%	5	33%
Lowry School of Real Estate	9	3	33%	6	67%	6	5	83%	1	17%	15	8	53%	7	47%
Waiver - KREC Equivalent Requirements Met	4	2	50%	2	50%	0	0	0%	0	0%	4	2	50%	2	50%
Career Education Systems - Wichita	0	0	0%	0	0%	0	0	0%	0	0%	0	0	0%	0	0%
<b>Total</b>	<b>98</b>	<b>75</b>	<b>77%</b>	<b>23</b>	<b>23%</b>	<b>23</b>	<b>14</b>	<b>61%</b>	<b>9</b>	<b>39%</b>	<b>121</b>	<b>89</b>	<b>74%</b>	<b>32</b>	<b>26%</b>

Kansas Salesperson	First Time Takers					Repeat Takers					Overall Statistics				
	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate	Total Exams	Total Pass	Pass Rate	Total Fail	Fail Rate
Lowry School of Real Estate	8	7	88%	1	13%	0	0	0%	0	0%	8	7	88%	1	13%
Career Education Systems - Kansas City	296	236	80%	60	20%	63	32	51%	31	49%	359	268	75%	91	25%
Colibri Real Estate, LLC	74	53	72%	21	28%	18	14	78%	4	22%	92	67	73%	25	27%
Waiver - KREC Equivalent Requirements Met	64	52	81%	12	19%	18	6	33%	12	67%	82	58	71%	24	29%
Career Education Systems - Online	154	116	75%	38	25%	56	26	46%	30	54%	210	142	68%	68	32%
Career Education Systems - Wichita	105	75	71%	30	29%	39	20	51%	19	49%	144	95	66%	49	34%
Kaplan Real Estate Education	82	52	63%	30	37%	43	25	58%	18	42%	125	77	62%	48	38%
The CE Shop, Inc.	146	95	65%	51	35%	66	29	44%	37	56%	212	124	58%	88	42%
Training Partners	30	18	60%	12	40%	8	4	50%	4	50%	38	22	58%	16	42%
Kansas Association of REALTORS	48	36	75%	12	25%	43	13	30%	30	70%	91	49	54%	42	46%
Key Real Estate School	24	15	63%	9	38%	6	1	17%	5	83%	30	16	53%	14	47%
ReeceNichols Training – Online	8	3	38%	5	63%	6	4	67%	2	33%	14	7	50%	7	50%
Kansas Real Estate School	53	31	58%	22	42%	31	9	29%	22	71%	84	40	48%	44	52%
ReeceNichols Training	67	40	60%	27	40%	47	14	30%	33	70%	114	54	47%	60	53%
Perry Real Estate College	14	7	50%	7	50%	13	5	38%	8	62%	27	12	44%	15	56%
RSCK School of Real Estate	11	4	36%	7	64%	11	5	45%	6	55%	22	9	41%	13	59%
Career Academy of Real Estate - Penfed Realty	15	9	60%	6	40%	15	3	20%	12	80%	30	12	40%	18	60%
Sterling College	0	0	0%	0	0%	0	0	0%	0	0%	0	0	0%	0	0%
<b>Total</b>	<b>1,199</b>	<b>849</b>	<b>71%</b>	<b>350</b>	<b>29%</b>	<b>483</b>	<b>210</b>	<b>43%</b>	<b>273</b>	<b>57%</b>	<b>1,682</b>	<b>1,059</b>	<b>63%</b>	<b>623</b>	<b>37%</b>

Please note, pass and fail percentage rates may be misleading when the total number of exams is low. It may also be misleading for any school to include information from this chart in any advertisement unless the advertisement also contains the percentage results shown and the total number of exams taken and passed in the same type size and prominence in the advertisement.

# KREC Total License Report

1/21/2026 11:42:00 AM

## Active/Inactive/Suspended

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### Active:

Salesperson	13534
Broker	3215

**Inactive:** 16749

Salesperson	779
Broker	78

857

### Suspended:

Salesperson	4
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4

Total Active/Inactive/Suspended: **17610**

## Expired

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### Expired - KAPA Review - A:

0

### Expired Renewable - A:

Salesperson	449
Broker	77

526

### Expired Renewable - I:

Salesperson	298
Broker	20

318

Total Expired: **844**

## Open

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### Open:

Branch Office	205
Company	2246

2451

Total Open: **2451**

# Applicant Status Report

Total Pending Applications: 1676

Salespersons	22	Brokers	8
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<b>Awaiting:</b>		<b>Awaiting:</b>	
Pre-License Validation	1	Pre-License Validation	
Broker Review - Acknowledgement	6	Broker Review - Acknowledgement	1
Staff Review	14	Staff Review	2
License Issuance	1	License Issuance	3
Record Management		Record Management	2

Pre-License	1646
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<b>Awaiting:</b>	
Pre-Licensure Intake	
Background Check	1314
Kansas Practice Course	103
Salesperson State Exam	62
Principles of Real Estate	101
Salesperson National Exam	23
Kansas Real Estate Broker Fundamentals Course	3
Broker State Exam	7
Kansas Law Course	2
Kansas Real Estate Broker Management Course	12
Broker National Exam	
Application	17
Record Management	2

# AGENDA

## LEADERSHIP SYMPOSIUM

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**SUN** |

1/11/26

**3:00 - 5:00 PM** - REGISTRATION  
**5:00 - 6:30 PM** - WELCOME HAPPY HOUR

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**MON** |

1/12/26

**7:30 - 8:30 AM** - BREAKFAST  
**8:30 - 9:00 AM** - WELCOME WITH  
WENDY ALKIRE AND JESSICA HICKOK  
**9:00 - 12:00 PM** - LEADERSHIP TRAINING  
WITH ADORNA CARROLL  
**12:00 - 1:30 PM** - NETWORKING LUNCH  
(*BOD PLANNING SESSION-CLOSED*)  
**1:30 - 2:30 PM** - LEADERSHIP TRAINING  
WITH ADORNA CARROLL  
**2:30 - 3:00 PM** - FINAL THOUGHTS  
WITH WENDY ALKIRE AND JESSICA  
HICKOK

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**TUE** |

1/13/26

**7:30 - 8:30 AM** - BREAKFAST  
**7:30 - 9:00 AM** - HEADSHOTS  
**8:30 - 9:30 AM** - STRATEGIC PLAN  
REVIEW WITH WENDY AND JESSICA  
**9:30 - 10:00 AM** - LEADERSHIP  
ORIENTATION WITH ERIK WISNER  
**10:00 AM - 12:00 PM** - BOARD OF  
DIRECTORS MEETING  
**12:00 - 1:00 PM** - NETWORKING LUNCH  
**1:00 - 3:00 PM** - COMMITTEE PLANNING  
**3:30 - 6:30 PM** - BREAK  
**7:00 - 9:30 PM** - DINNER AT WHITE PILLARS  
(*RSVP ONLY, MEET IN LOBBY @ 6:30P*)

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# COMPLIANCE REPORT

**MEMO**



Jayhawk Tower  
700 SW Jackson Street, Suite 404  
Phone: 785-296-3411 Fax: 785-296-1771  
krec@ks.gov  
www.krec.ks.gov

DATE: February 2, 2026

TO: Kansas Real Estate Commission Members

FROM: Tasha Sailer, Director of Compliance

**Compliance Department Report as of 1/14/2026**

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<b>Complaints</b>	<b>FY26 YTD</b>	<b>FY25 YTD Comparison</b>
Complaints Closed 7/1/2025 through 1/14/2026	<b>189</b>	<b>184</b>
Open Complaints Under Investigation	<b>33</b>	////
Oldest Open Complaint (not pending Litigation or I-Team Review)	<b>7/24/2025</b>	////

<b>Compliance Reviews</b>	<b>FY26 YTD</b>	<b>FY25 YTD Comparison</b>
Compliance Reviews Complete	<b>309</b>	<b>239</b>
Compliance Reviews Completed with Transactions	<b>192</b>	<b>139</b>
Compliance Reviews in Process	<b>67</b>	////

Other Updates:

- Next Compliance Courses:
  - Next Broker Supervision Course will be 2/26/2026 in person.
  - BRRETA Course will be 3/10/2026 in person.

**Compliance Update**

FY 2026 : 7/1/2025-1/14/2026

**Total Closed Complaints 7/1/2025-1/14/2026 189**

<b>Outcome</b>		<b>Category</b>	
No jurisdiction	30	advertising	36
No violation	63	BRRETA	48
Warning letter issued	30	fail to disclose	17
Legal order issued	21	prohibited act	25
Commission directive issued	6	unlicensed activity	8
Closed-no response/action	39	working while expired/inactive	13
		other	11
		undetermined/no jurisdiction	31

**Open Complaints****56****Category****Oldest Open File:**

I-team review	8	advertising	9	7/24/2025
Ready to work	18	BRRETA	22	
Response pending	14	fail to disclose	2	
Working	10	prohibited act	9	
Supervisor Review	4	unlicensed activity	6	
On hold	2	working while expired	0	
		other or undetermined	8	

**Compliance Reviews Logged****309****Compliance Reviews In Process****67**

No Transactions	117	Summary Review/Pending Exit Interview	8
No Violations	100	Pending I-team	2
Completed with Violations	92	In Process	56
		On Hold	1

# DIRECTOR'S REPORT

# MEMO



DATE: February 2, 2026  
TO: Kansas Real Estate Commission Members  
FROM: Erik Wisner, Executive Director  
RE: Director's Report

Jayhawk Tower  
700 SW Jackson Street, Suite 404  
Phone: 785-296-3411 Fax: 785-296-1771  
krec@ks.gov  
www.krec.ks.gov

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## Fiscal

- **FY 26 Financials (Attachment).** The real estate fee fund balance as of December 31, 2025, is \$1,578,403 up \$40,971 from July 1, 2025.
  - Revenue. Real estate fee fund receipts for FY26 are \$697,164. This is 4% higher than original estimates.
  - Expenditures. Real estate fee fund expenditures in FY26 are \$649,661. This is 3% lower than original estimates.
  - Background investigation fee fund receipts for FY26 are \$106,050. Real estate recovery fund receipts for FY26 are \$6,905. The balance is \$368,570 up \$6,016 from July 1, 2025.
- **FY26-27 Budget Submission.** The Governor approved the Commission's budget submission as requested. The Governor proposed a 2.5% pay increase for all state employees in FY26. As previously discussed, the Legislature is crafting their own separate budget. Both the Governor's approved budget and the Legislature's proposed budget are identical for KREC.

## Legislative and Policy Issues

- **Legislative Update**
  - **CCRB SB 30 (Attachment)** (originally introduced in 2025 and amended in Conference Committee) - The bill would require any new occupational license or material change to an existing license adopted by an agency on or after July 1, 2025, to be approved by the Legislature.
  - **HB 2465** – Professionals Freedom of Expression Act
    - Section 1 of the bill would prohibit any governmental entity or private licensing organization from taking action against the licensee based solely on that person's or entity's beliefs or the lawful expression of those beliefs in settings unrelated to their profession or business. The bill would also create a private right of action for anyone injured, or substantially likely to be injured, by a violation, and would allow courts to award actual damages, costs, attorney fees, and injunctive relief as necessary.
    - Section 2 of the bill would prohibit any individual, organization, or association from denying a real estate licensee access to, membership in a MLS or a real estate brokers' organization, or from otherwise discriminating or taking adverse action under MLS or organization rules, based solely on the licensee's beliefs or the lawful expression of those

beliefs in settings unrelated to real estate activities, so long as that expression does not otherwise violate the real estate brokers' and salespersons' license act. The bill would also make it unlawful for an organization that owns or operates an MLS to require membership as a condition of full MLS access, and would require that any MLS access fee charged to nonmembers not exceed the fee charged to members. Finally, the bill would create a private right of action for persons injured, or substantially likely to be injured, by a violation, and would allow courts to award actual damages, costs, attorney fees, and injunctive relief as necessary.

- Section 4 of the bill says that any violation of Section 2 by a Kansas Real Estate licensee would also be considered a prohibited act under the Kansas Real Estate Brokers and Salespersons License Act.

- **Accela Licensing System Update**

- **Updates to Delegation of Authority and Application Review Procedures (Attachment)**

- Revisions to delegation of authority for license applications to reflect changes to review of license applications and delegation of approval of certain applications to staff (Motion required to approve). Proposed changes include:
  - Delegate review of applications that staff cant dispose of to designated commission members.
  - Allow staff to approve with no restrictions:
    - An applicant with a disclosed felony conviction where the completion of any sentence and post release supervision requirement is more than 15 years prior to the application date.
    - A broker applicant who has been licensed for 15 or more years and has had 20 or more transaction points within the last three years.
    - Any request to lift a restriction placed on a license due to disciplinary action against a professional license if three years have elapsed since the restriction was placed on a license and the licensee had not additional formal disciplinary action in Kansas or another state.
    - Any request to lift a restriction placed on a broker's license due to lack of experience if the restriction has been on the broker's license for more than 15 years and the license has been in active status since issuance.
  - Allow staff to approve an applicant (restricted to their supervising broker) with a disclosed non-alcohol or drug felony conviction where the completion of any sentence and post release supervision requirement is outside the bar period but less than 15 years from the application date.
  - Allow staff to approve an applicant with a pending felony charge or diversion and require compliance with court order and to report final disposition of the case.
- **Possible Motion for Application Reviews:** I move that the Commission designate <CM NAME> or <CM NAME> to review any license application and to make an initial determination to approve, approve with restrictions or conditions or deny the application where staff is not authorized to approve, approve with restrictions or conditions or deny the application consistent with the delegation of authority for disposition of license applications.

- **Presiding Officer for Disciplinary Hearings**

- Possible Motion: I move that the Commission designate the full Commission, with the exception of the Commissioner who initially reviewed the disciplinary matter or application and/or was involved in the determination to issue the Summary Proceeding Order, as the presiding officer or officers pursuant to K.S.A. 77-514 to handle all formal hearings subject to K.S.A. 77-501 et seq.

## **Dates and Events**

- **2026 Commission Meeting Dates (via Zoom or Commission Conf Room unless noted)**

- Apr. 6
- Jun. 8
- Aug. 31
- Nov. 16

- **Other 2026 Events**

- Feb. 3 – KAR Capitol Day (Topeka)
- Mar. 9-11– ARELLO Legal Exchange (Charleston, SC)
- Apr. 14-16 -- ARELLO Mid-Year Conference (Louisville, KY)
- Apr. 14-15 – KAR Spring Governance Conference (Hays, KS)
- Jun. 13-18 – NAR Legislative Meetings (Washington DC)
- Sept. 14-16 – ARELLO Annual Conference (Maui, HA)
- Oct. 7-9 – KAR Annual Conference (Manhattan, KS)
- Oct. 26-28 – ARELLO ARIS Conference (Denver, CO)

## Real Estate Commission (Fund 2721)

### Cash Balance Report

For the Year Ending  
Cash at Beginning of Year

6/30/2026  
**\$ 1,537,432.36**

#### Revenue

CLERICAL SERVICES	\$	1,929.20		
LICENSE PERSONAL SERVICES	\$	(125.00)		
LICENSE BUSINESS SERVICES	\$	670,479.50		
OTHER FINES PENALTIES FORFEIT	\$	24,880.00		
OTHER NON REVENUE RECEIPTS	\$	-		
<b>TOTAL REVENUE</b>			<b>\$</b>	<b>697,163.70</b>

#### Expenditures

Salaries & Wages	\$	512,324.41		
Contractual Services	\$	136,355.28		
Commodities	\$	793.89		
Capital Outlay	\$	187.49		
<b>TOTAL EXPENDITURES</b>			<b>\$</b>	<b>649,661.07</b>

Net Total Transfers				
Less Acct. Pay				
Less Prior FY Expenditures	\$	7,238.06		

**Ending Cash Balance** **\$ 1,577,696.93**

### Cash Balance Report (Fund 2721 - Hospitality)

For the Year Ending  
Cash at Beginning of Year

6/30/2026  
**\$ 1,000.00**

#### Expenditures

Salaries & Wages	\$	-		
Contractual Services	\$	293.91		
Commodities	\$	-		
Capital Outlay	\$	-		
<b>TOTAL EXPENDITURES</b>			<b>\$</b>	<b>293.91</b>

**Ending Cash Balance** **\$ 706.09**

**Total Cash Balance - Trial Balance** **\$ 1,578,403.02**

														Income Statement	
														For the Year Ending: 06/30/2026	
														92	
	Budget	July-25	August-25	September-25	October-25	November-25	December-25	January-26	February-26	March-26	April-26	May-26	June-26	YTD	% Collect
Revenue															
420400 CLERICAL SERVICES		\$ 3,526.25	\$ -	\$ (3,526.25)	\$ -	\$ -	\$ 1,929.20	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,929.20	
421100 LICENSE PERSONAL SERVICES		\$ -	\$ (125.00)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (125.00)	
421110 License Business Services	\$ 1,264,920.00	\$ 78,337.00	\$ 114,990.50	\$ 136,228.50	\$ 102,285.00	\$ 131,485.00	\$ 107,153.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 670,479.50	53%
AF App Fees	\$ 28,000.00	\$ 3,897.00	\$ 5,478.00	\$ 4,162.50	\$ 3,402.00	\$ 4,140.00	\$ 2,866.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,946.00	86%
OB Orig BR Licenses	\$ 21,000.00	\$ 1,102.50	\$ 1,575.00	\$ 1,732.50	\$ 945.00	\$ 1,890.00	\$ 2,205.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,450.00	45%
OS Orig Slsp Licenses	\$ 164,920.00	\$ 7,875.00	\$ 14,525.00	\$ 15,975.00	\$ 9,450.00	\$ 13,275.00	\$ 11,812.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 72,912.50	44%
BF Broker Renewal Fees	\$ 268,000.00	\$ 11,375.00	\$ 22,855.00	\$ 25,515.00	\$ 21,892.50	\$ 29,767.50	\$ 27,737.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 139,142.50	52%
SF Slsp Renewal Fees	\$ 665,000.00	\$ 39,950.00	\$ 60,262.50	\$ 70,537.50	\$ 59,512.50	\$ 70,312.50	\$ 54,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 355,375.00	53%
LF Late Ren Fees	\$ 100,000.00	\$ 13,770.00	\$ 8,170.00	\$ 16,650.00	\$ 5,400.00	\$ 10,880.00	\$ 6,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 61,170.00	61%
MISC (CF/DP,NC,OC/CR/IR,CC/OO,BC)	\$ 18,000.00	\$ 367.50	\$ 2,125.00	\$ 1,656.00	\$ 1,683.00	\$ 1,220.00	\$ 1,432.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,483.50	47%
Refunds		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
454090 OTHER FINES PENALTIES FORFEIT	\$ 23,500.00	\$ 6,323.75	\$ 250.00	\$ 2,973.75	\$ 1,500.00	\$ 4,832.50	\$ 9,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,880.00	106%
469090 Other Nonrevenue Receipts		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
461190 Asset Conversion Receipts		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Gross Revenue</b>	<b>\$ 1,288,420.00</b>	<b>\$ 88,187.00</b>	<b>\$ 115,115.50</b>	<b>\$ 135,676.00</b>	<b>\$ 103,785.00</b>	<b>\$ 136,317.50</b>	<b>\$ 118,082.70</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 697,163.70</b>	<b>54%</b>
														\$ 695,359.50	

														Income Statement		
														For the Year Ending: 06/30/2026		
		July '21	August '21	September '21	October '21	November '21	December '21	January '22	February '22	March '22	April '22	May '22	June '22	YTD		
Revenue																
421100 License Personal Services		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
421110 Licenses Business		\$ 8,678.00	\$ 11,434.50	\$ 15,136.50	\$ 11,365.00	\$ 14,712.50	\$ 11,901.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,228.00		
454090 Fines/Penalties/Forfeitures		\$ -	\$ -	\$ 6,702.50	\$ 2,650.00	\$ -	\$ 2,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,652.50		
<b>Gross Revenue</b>		<b>\$ 8,678.00</b>	<b>\$ 11,434.50</b>	<b>\$ 21,839.00</b>	<b>\$ 14,015.00</b>	<b>\$ 14,712.50</b>	<b>\$ 14,201.50</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 84,880.50</b>		
														Bal until \$100K met	\$ 26,772.00	73%



# Real Estate Commission (Fund 2722)

## Cash Balance Report

For the Year Ending  
Cash at Beginning of Year

6/30/2026

**\$ 50,315.62**

### Revenue

Average Daily Balance Interest	\$	-		
Other Nonrevenue Receipts	\$	-		
Recovery of Prior FY Exp	\$	106,050.00		
<b>TOTAL REVENUE</b>				<b>\$ 106,050.00</b>

### Expenditures

Salaries & Wages	\$	-		
Contractual Services	\$	62,733.44		
Commodities	\$	-		
Capital Outlay	\$	-		
<b>TOTAL EXPENDITURES</b>				<b>\$ 62,733.44</b>

Less Prior FY Expenditures	\$	12,606.00	
Less Accounts Payable	\$	-	
Less Transfer	\$	-	

**Ending Cash Balance**

**\$ 81,026.18**

# Real Estate Commission (Fund 7368)

## Cash Balance Report

For the Year Ending  
Cash at Beginning of Year

6/30/2026

**\$ 362,554.15**

### Revenue

Average Daily Balance Interest	\$	6,804.97	
Recovery of Prior FY Exp	\$	100.00	
Other Nonrevenue Receipts	\$	-	
<b>TOTAL REVENUE</b>			<b>\$ 6,904.97</b>

### Expenditures

Salaries & Wages	\$	-	
Contractual Services	\$	888.95	
Commodities	\$	-	
Capital Outlay	\$	-	
<b>TOTAL EXPENDITURES</b>			<b>\$ 888.95</b>

Less Prior FY Expenditures	\$	-	
Less Accounts Payable			
Less Transfer	\$	-	

**Ending Cash Balance**

**\$ 368,570.17**

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 30**

As Agreed to March 25, 2025

**Brief\***

SB 30 would require adoption of new occupational licenses and material changes to existing licenses by certain state agencies to be approved by the Legislature. The bill would also require agencies to annually report certain information to the Joint Committee on Administrative Rules and Regulations (JCARR).

The Behavioral Sciences Regulatory Board, Board of Examiners in Optometry, Board of Nursing, Kansas Dental Board, State Board of Healing Arts, State Board of Pharmacy, and the State Board of Technical Professions would be exempt from the provisions of the bill.

For purposes of the bill, an “occupational license” would mean an exclusive authorization in law establishing the personal qualifications necessary to engage in an occupation or profession and any associated rules and regulations.

***Legislative Review and Approval of Licenses***

The bill would require any new occupational license or material change to an existing license adopted by an agency on or after July 1, 2025, to be approved by the Legislature by joint resolution, unless ratified by an enactment of a bill.

Before consideration of such a resolution, a standing committee of each chamber to which the subject matter of the license is customarily referred would be required to conduct a review of the proposed license, which would include a review of a report prepared by the Kansas Legislative Research Department (KLRD). The KLRD report would be required to be prepared for the committee within two weeks of assignment and would include the following information:

- The necessity of such license for public health, safety, or welfare;
- Alternative, less-restrictive measures;
- Whether the licensing requirement is the least-restrictive means to achieve its purpose;

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <https://klrd.gov/>

- Whether and how other states regulate the profession;
- The effect the license will have on job creation or retention; and
- An explanation of certain costs and benefits associated with the requirement.

Each committee would be required to submit a written recommendation for adoption or denial of such license to the Speaker of the House of Representatives and the President of the Senate for consideration by the Legislature.

### ***Annual Agency Reports to the Joint Committee on Administrative Rules and Regulations***

In September of each year, each agency would be required to submit an annual report to the JCARR containing a list of each license the agency oversees. The list would be required to contain certain information, as specified by the bill, related to the rationale for and administration and regulation of each occupational license administered by the agency.

### **Conference Committee Action**

The Conference Committee agreed to remove the contents of SB 30, and to insert the contents of SB 229, as amended by Senate Committee on Commerce regarding legislative approval of certain occupational licenses, and to include an amendment clarifying that the standing committee chairperson would request KLRD to conduct the review and prepare the written report.

[*Note:* The contents of SB 30, requiring employees of the Department of Labor with access to federal tax information to undergo criminal record checks and amendments to criminal history record information that may be released to certain agencies, is included in the Conference Committee Report for HB 2342.]

### **Background**

#### ***SB 229 (Legislature Approval of Certain Occupational Licenses)***

The bill was introduced by the Senate Committee on Commerce at the request of Senator Blew on behalf of a representative of Catalyst. Senate Committee on Commerce

In the Senate Committee hearing, **proponent** testimony was provided by representatives of Americans for Prosperity Kansas and United WE. The proponents generally stated the bill would make the occupational licensing process more efficient by reducing institutional red tape and help move Kansas toward voluntary certification. The proponents also stated the bill would increase workforce participation and economic growth.

Written-only proponent testimony was provided by representatives of the cities of Arkansas City and Winfield.

Neutral testimony was provided by a representative of the Secretary of State, who generally stated they have no opinion on the substance of the bill, but its implementation needs to be clarified.

Written-only opponent testimony was provided by a representative of Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association.

No other testimony was provided.

The Senate Committee amended the bill to:

- Clarify the bill would only affect new occupational licenses and material changes to existing occupational licenses;
- Remove a blanket exception for unspecified regulatory agencies for health care providers;
- Remove a requirement that the Legislature review existing occupational licensing requirements and terminate unreviewed licenses by July 1, 2030;
- Remove a limit on each occupational license of five years' duration unless reviewed and renewed by the Legislature;
- Exempt cities, counties, and unified governmental agencies from the provisions of the bill; and
- Remove certain requirements of the Revisor of Statutes.

[Note: The Conference Committee retained these amendments.]

## **Fiscal Information**

### ***SB 229 (Legislature Approval of Certain Occupational Licenses)***

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KLRD states that enactment of the bill would add an additional task for the Department but a fiscal impact cannot be estimated. Legislative Administrative Services estimates enactment of the bill would have no fiscal effect on the Legislature's budget.

The Secretary of State indicates that enactment of the bill would require expenditures totaling \$225,000 from the State General Fund in FY 2026. This estimate includes salaries, wages, and fringe benefit costs for two full-time equivalent (FTE) positions of an attorney (\$130,000) and a paralegal (\$80,000), and other operating expenditures.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

## HOUSE BILL No. 2465

By Committee on Commerce, Labor and Economic Development

Requested by Representative Brunk

1-15

1 AN ACT concerning discrimination; enacting the professionals' freedom  
2 of expression act; providing protection for professionals and businesses  
3 against adverse action as a result of an expression of beliefs by such  
4 professional or business that is unrelated to such profession or business;  
5 including such protections within the real estate brokers' and  
6 salespersons' license act; amending K.S.A. 58-3034 and 58-3062 and  
7 repealing the existing sections.

8  
9 WHEREAS, The provisions of sections 1 and 2 and the amendments to  
10 K.S.A. 58-3034 and 58-3062 shall be known and may be cited as the  
11 professionals' freedom of expression act.

12 Now, therefore:

13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) Notwithstanding any other law, no governmental  
15 entity or private licensing organization shall:

16 (1) Deny, revoke or suspend the license or any other certificate or  
17 authorization required to do business of any professional or business based  
18 solely on the beliefs of such professional or business or the lawful  
19 expression of such beliefs by such professional or business in a setting that  
20 is unrelated to such profession or business; or

21 (2) penalize, discipline, censure, disadvantage, discriminate against,  
22 retaliate against or take any other adverse action against a professional or  
23 business based solely on the beliefs of such professional or business or the  
24 lawful expression of such beliefs by such professional or business in a  
25 setting that is unrelated to such profession or business.

26 (b) Any person who has been injured or who is substantially likely to  
27 be injured as a result of a violation of this section shall have a cause of  
28 action against the governmental entity or private licensing organization  
29 that committed such violation. In any such action, the court may award  
30 actual damages, costs, attorney fees and such injunctive relief as the court  
31 deems necessary.

32 (c) As used in this section:

33 (1) "Beliefs" mean any sincerely held religious beliefs, including, but  
34 not limited to, beliefs regarding marriage, family or sexuality.

35 (2) "Governmental entity" means any state, county or city agency,

1 department, division, bureau or any political subdivision thereof that issues  
2 licenses to or certifies or accredits individuals or businesses.

3 (3) "Private licensing organization" means any private or quasi-public  
4 organization or association that issues licenses to or certifies or accredits  
5 individuals or businesses.

6 New Sec. 2. (a) No individual, organization or association shall do  
7 any of the following, based solely on the beliefs of a licensee or the lawful  
8 expression of such beliefs by such licensee in a setting that is unrelated to  
9 the real estate activities or transactions when such expression does not  
10 otherwise violate the real estate brokers' and salespersons' license act:

11 (1) Deny any licensee access to, membership in or participation with  
12 any multiple listing service or any real estate brokers' organization;

13 (2) discriminate against any licensee with respect to the terms and  
14 conditions of access to, membership in or participation with any multiple  
15 listing service or real estate brokers' organization; or

16 (3) discipline or take any other adverse action against any licensee  
17 pursuant to the rules of any multiple listing service or real estate brokers'  
18 organization.

19 (b) It shall be unlawful for any real estate brokers' organization or any  
20 other organization or association that owns, controls, manages or  
21 otherwise operates a multiple listing service to require membership in such  
22 organization or association as a condition to having full access to such  
23 multiple listing service. If any fee is required to be paid for access to any  
24 such multiple listing service, then the fee required to be paid for such  
25 access by nonmembers of such organization or association shall not exceed  
26 the fee required to be paid by members of such organization or association.

27 (c) Any person who has been injured or who is substantially likely to  
28 be injured as a result of a violation of this section shall have a cause of  
29 action against the individual, organization or association that committed  
30 such violation. In any such action, the court may award actual damages,  
31 costs, attorney fees and such injunctive relief as the court deems necessary.

32 (d) As used in this section:

33 (1) "Beliefs" means any sincerely held religious beliefs, including,  
34 but not limited to, beliefs regarding marriage, family or sexuality.

35 (2) "Real estate activities and transactions" means any actions,  
36 activities and transactions carried out by a licensee in such licensee's  
37 capacity as a real estate professional or in association with such licensee's  
38 real estate business.

39 (e) This section shall be a part of and supplemental to the real estate  
40 brokers' and salespersons' license act.

41 Sec. 3. K.S.A. 58-3034 is hereby amended to read as follows: 58-  
42 3034. K.S.A. 58-3034 through ~~58-3077~~, and ~~58-3078 through 58-3085~~ 58-  
43 3086, and amendments thereto, *and section 2, and amendments thereto,*

1 shall be known and may be cited as the real estate brokers' and  
 2 salespersons' license act.

3 Sec. 4. K.S.A. 58-3062 is hereby amended to read as follows: 58-  
 4 3062. (a) No licensee, whether acting as an agent, transaction broker or a  
 5 principal, shall:

6 (1) Fail to account for and remit any money ~~which~~ *that* comes into  
 7 the licensee's possession and ~~which~~ *that* belongs to others.

8 (2) Misappropriate moneys required to be deposited in a trust account  
 9 pursuant to K.S.A. 58-3061, and amendments thereto, convert such  
 10 moneys to the licensee's personal use or commingle the money or other  
 11 property of the licensee's principals with the licensee's own money or  
 12 property, except that nothing ~~herein~~ *in this paragraph* shall prohibit a  
 13 broker from having funds in an amount not to exceed \$100 in the broker's  
 14 trust account to pay expenses for the use and maintenance of such account.

15 (3) Accept, give or charge any rebate or undisclosed commission.

16 (4) Pay a referral fee to a person who is properly licensed as a broker  
 17 or salesperson in Kansas or another jurisdiction or who holds a corporate  
 18 real estate license in another jurisdiction if the licensee knows that the  
 19 payment of the referral fee will result in the payment of a rebate by the  
 20 Kansas or out-of-state licensee.

21 (5) Represent or attempt to represent a broker without the broker's  
 22 express knowledge and consent.

23 (6) Guarantee or authorize any person to guarantee future profits that  
 24 may result from the resale of real property.

25 (7) Place a sign on any property offering ~~it~~ *such property* for sale or  
 26 lease without the written consent of the owner or the owner's authorized  
 27 agent.

28 (8) Offer real estate for sale or lease without the knowledge and  
 29 consent of the owner or the owner's authorized agent or on terms other  
 30 than those authorized by the owner or the owner's authorized agent.

31 (9) Induce any party to break any contract of sale or lease.

32 (10) Pay a commission or compensation to any person, not licensed  
 33 under this act, for performing any activity for which ~~a~~ *such* license is  
 34 required ~~under this act~~.

35 (11) Fail to see that financial obligations and commitments between  
 36 the parties to an agreement to sell, exchange or lease real estate are in  
 37 writing, expressing the exact agreement of the parties or to provide, within  
 38 a reasonable time, copies thereof to all parties involved.

39 (12) Procure a signature to a purchase contract ~~which~~ *that* has no  
 40 definite purchase price, method of payment, description of property or  
 41 method of determining the closing date.

42 (13) Engage in fraud or make any substantial misrepresentation.

43 (14) Represent to any lender, guaranteeing agency or any other

1 interested party, either verbally or through the preparation of false  
2 documents, an amount in excess of the true and actual sale price of the real  
3 estate or terms differing from those actually agreed upon.

4 (15) Fail to make known to any purchaser or lessee any interest the  
5 licensee has in the real estate the licensee is selling or leasing or to make  
6 known to any seller or lessor any interest the licensee will have in the real  
7 estate the licensee is purchasing or leasing.

8 (16) Fail to inform both the buyer, at the time an offer is made, and  
9 the seller, at the time an offer is presented, that certain closing costs must  
10 be paid and the approximate amount of such costs.

11 (17) Fail, without just cause, to surrender any document or instrument  
12 to the rightful owner.

13 (18) Accept anything other than cash as earnest money unless that  
14 fact is communicated to the owner prior to the owner's acceptance of the  
15 offer to purchase, and such fact is shown in the purchase agreement.

16 (19) Fail to deposit any check or cash received as an earnest money  
17 deposit or as a deposit on the purchase of a lot within five business days  
18 after the purchase agreement or lot reservation agreement is signed by all  
19 parties, unless otherwise specifically provided by written agreement of all  
20 parties to the purchase agreement or lot reservation agreement, in which  
21 case, the licensee shall deposit the check or cash received on the date  
22 provided by such written agreement.

23 (20) Fail to respond in a timely manner to any request from the  
24 commission or the commission's designee for documents or information  
25 that concerns, directly or indirectly, any real estate transaction or the  
26 licensee's real estate business.

27 (21) Refuse to appear or testify under oath at any hearing held by the  
28 commission.

29 (22) Demonstrate incompetency to act as a broker, associate broker or  
30 salesperson.

31 (23) Except as provided by K.S.A. 40-2404, and amendments thereto,  
32 knowingly receive or accept, directly or indirectly, any rebate, reduction or  
33 abatement of any charge, or any special favor or advantage or any  
34 monetary consideration or inducement, involving the issuance of a title  
35 insurance policy or contract concerning which the licensee is directly or  
36 indirectly connected, from a title insurance company or title insurance  
37 agent, or any officer, employee, attorney, agent or solicitor thereof.

38 (24) Engage in the purchase of one-, two-, three- or four-family  
39 dwellings, including condominiums and cooperatives, or the acquisition of  
40 any right, title or interest therein, including any equity or redemption  
41 interests, if:

42 (A) (i) At the time of such purchase, the dwellings are subject to a  
43 right of redemption pursuant to foreclosure of a mortgage on such

1 dwellings; (ii) the licensee fails to give written notice of the purchase,  
2 within 20 days thereafter, to the mortgage holder or judgment creditor who  
3 held such mortgage; and (iii) the licensee, unless otherwise required by  
4 law or court order, fails to apply any rent proceeds from the dwellings to  
5 the judgment lien arising from the foreclosure of such mortgage, as  
6 payments become due under the loan, regardless of whether the licensee is  
7 obligated to do so;

8 (B) (i) the dwellings are subject to a loan ~~which~~ that is secured by a  
9 mortgage ~~and which~~ that is in default at the time of such purchase or in  
10 default within one year after such purchase; (ii) the licensee fails to give  
11 written notice of the purchase, within 20 days thereafter, to the mortgage  
12 holder; and (iii) the licensee, unless otherwise required by law or court  
13 order, fails to apply any rent proceeds from the dwellings to the mortgage  
14 as the payments come due, regardless of whether the licensee is obligated  
15 on the loan; or

16 (C) the licensee fails to notify, at the time of rental, any person  
17 renting any such dwelling of the extent and nature of the licensee's interest  
18 in such dwelling and the probable time until possession will be taken by  
19 the mortgage holder or judgment creditor.

20 (25) Commit forgery or, unless authorized to do so by a duly  
21 executed power of attorney, sign or initial any contractual agreement on  
22 behalf of another person in a real estate transaction.

23 (26) Enter into contracts with persons not licensed by the commission  
24 to perform services requiring a license under K.S.A. 58-3034 et seq., and  
25 amendments thereto, except as provided by K.S.A. 58-3077, and  
26 amendments thereto.

27 (b) No salesperson or associate broker shall:

28 (1) Except as provided in subparagraph (A) or (B), accept a  
29 commission or other valuable consideration from anyone other than the  
30 broker by whom the licensee is employed or with whom the licensee is  
31 associated as an independent contractor.

32 (A) A salesperson or associate broker may accept a commission or  
33 other valuable consideration from a licensee who employs the salesperson  
34 or associate broker as a personal assistant provided that: (i) The licensee  
35 and the salesperson or associate broker who is employed as a personal  
36 assistant are licensed under the supervision of the same broker; and (ii) the  
37 supervising broker agrees in writing that the personal assistant may be paid  
38 by the licensee.

39 (B) If a salesperson or associate broker has organized as an  
40 association, corporation, limited liability company, limited liability  
41 partnership, partnership or professional corporation, the commission or  
42 other valuable consideration may be paid by the licensee's broker to such  
43 association, corporation, limited liability company, limited liability

1 partnership, partnership or professional corporation. This provision shall  
2 not alter any other provisions of this act.

3 (2) Fail to place, as soon after receipt as practicable, any deposit  
4 money or other funds entrusted to the salesperson or associate broker in  
5 the custody of the broker whom the salesperson or associate broker  
6 represents.

7 (3) (A) Except as provided by subparagraph (B), be employed by or  
8 associated with a licensee at any one time other than the supervising  
9 broker who employs such salesperson or associate broker or with who the  
10 salesperson or associate broker is associated as an independent contractor.

11 (B) An associate broker may be employed by or associated with more  
12 than one supervising broker at any one time if each supervising broker  
13 who employs or associates with the associate broker consents to such  
14 multiple employment or association. Such consent shall be on a form  
15 provided by the commission and shall not be effective until a signed copy  
16 of the completed form has been filed with the commission.

17 (4) Except as provided by subsection (b), pay a commission or  
18 compensation to any person for performing any activity for which a  
19 license is required under this act.

20 (5) (A) Fail to disclose to such salesperson's or associate broker's  
21 supervising broker or branch broker that such salesperson or associate  
22 broker is performing any activity for which a license is required under  
23 K.S.A. 58-3036, and amendments thereto; or (B) perform any activity for  
24 which a license is required under K.S.A. 58-3036, and amendments  
25 thereto, outside the supervision of the supervising broker or branch broker.  
26 The provisions of this subsection shall not apply to any activity or person  
27 exempted from the real estate brokers' and salespersons' license act  
28 pursuant to K.S.A. 58-3037, and amendments thereto.

29 (6) Fail to submit to the supervising broker or branch broker, within  
30 10 business days, any document that must be maintained in the supervising  
31 broker's or branch broker's business records for each real estate  
32 transaction. The ten-day period shall commence when the document is  
33 executed by the client or customer or, if a signature is not required or is not  
34 obtained, upon presentation of a document to the client or customer.

35 (c) No broker shall:

36 (1) Pay a commission or compensation to any person for performing  
37 the services of an associate broker or salesperson unless such person is  
38 licensed under this act and employed by or associated with the broker.

39 (2) Fail to deliver to the seller in every real estate transaction, at the  
40 time the transaction is closed, a complete, detailed closing statement  
41 showing all of the receipts and disbursements handled by the broker for  
42 the seller, or fail to deliver to the buyer a complete statement showing all  
43 money received in the transaction from such buyer and how and for what

1 the same was disbursed, or fail to retain true copies of such statements in  
2 the broker's files, except that the furnishing of such statements to the seller  
3 and buyer by an escrow agent shall relieve the broker's responsibility to  
4 the seller and the buyer.

5 (3) Fail to properly supervise the activities of an associated or  
6 employed salesperson or associate broker.

7 (4) Lend the broker's license to a salesperson, or permit a salesperson  
8 to operate as a broker.

9 (5) Fail to provide to the principal a written report every 30 days,  
10 along with a final report, itemizing disbursements made by the broker  
11 from advance listing fees.

12 (d) (1) If a purchase agreement provides that the earnest money be  
13 held by an escrow agent other than a real estate broker, no listing broker  
14 shall:

15 (A) Fail to deliver the purchase agreement and earnest money deposit  
16 to the escrow agent named in the purchase agreement within five business  
17 days after the purchase agreement is signed by all parties unless otherwise  
18 specifically provided by written agreement of all parties to the purchase  
19 agreement, in which case, the broker shall deliver the purchase agreement  
20 and earnest money deposit to the escrow agent named in the purchase  
21 agreement on the date provided by such written agreement; or

22 (B) fail to obtain and keep in the transaction file a receipt from the  
23 escrow agent showing date of delivery of the purchase agreement and  
24 earnest money deposit.

25 (2) If a purchase agreement provides that the earnest money be held  
26 by an escrow agent other than a real estate broker and the property was not  
27 listed with a broker, no broker for the buyer shall:

28 (A) Fail to deliver the purchase agreement and earnest money deposit  
29 to the escrow agent named in the purchase agreement within five business  
30 days after the purchase agreement is signed by all parties unless otherwise  
31 specifically provided by written agreement of all parties to the purchase  
32 agreement, in which case, the broker shall deliver the purchase agreement  
33 and earnest money deposit to the escrow agent named in the purchase  
34 agreement on the date provided by such written agreement; or

35 (B) fail to obtain and keep in the transaction file a receipt from the  
36 escrow agent showing date of delivery of the purchase agreement and  
37 earnest money deposit.

38 (3) (A) If a purchase agreement provides that the earnest money be  
39 held by an escrow agent other than a real estate broker and neither the  
40 seller nor buyer is represented by a broker, no transaction broker shall:

41 ~~(A)~~(i) Fail to deliver the purchase agreement and earnest money  
42 deposit to the escrow agent named in the purchase agreement within five  
43 business days after the purchase agreement is signed by all parties unless

1 otherwise specifically provided by written agreement of all parties to the  
2 purchase agreement, in which case the broker shall deliver the purchase  
3 agreement and earnest money deposit to the escrow agent named in the  
4 purchase agreement on the date provided by such written agreement; or

5 ~~(B)(ii)~~ fail to obtain and keep in the transaction file a receipt from the  
6 escrow agent showing date of delivery of the purchase agreement and  
7 earnest money deposit.

8 (B) The commission may adopt rules and regulations to require that  
9 such purchase agreement which provides that the earnest money be held  
10 by an escrow agent other than a real estate broker include:

11 ~~(H)(i)~~ Notification of whether or not the escrow agent named in the  
12 purchase agreement maintains a surety bond; and

13 ~~(2)(ii)~~ notification that statutes governing the disbursement of earnest  
14 money held in trust accounts of real estate brokers do not apply to earnest  
15 money deposited with the escrow agent named in the purchase agreement.

16 (e) No licensee shall:

17 (1) Threaten to engage in or engage in physical abuse or engage in  
18 harassment towards:

19 (A) A client or customer or a former client or customer;

20 (B) another licensee;

21 (C) commission members or staff;

22 (D) staff of the office of administrative hearings;

23 (E) staff from any real estate trade association or multiple listing  
24 service; or

25 (F) any person from another business or industry whose services are  
26 requested or required as part of a real estate transaction;

27 (2) threaten to file or file a lien on residential property;

28 (3) conduct real estate business with impaired judgment or objectivity  
29 as the result of mental illness or addiction to alcohol or controlled  
30 substances;

31 (4) be finally adjudicated by a federal or state agency and found to be  
32 guilty of a violation of a federal or state law regulating the real estate  
33 industry or regulating a closely related industry whose licensees or  
34 members are commonly involved in real estate matters;

35 (5) be finally adjudicated by a federal or state agency and found to be  
36 guilty of a violation of a federal or state law prohibiting discrimination  
37 against any client or customer on the basis of color, race, gender, religion,  
38 national origin, age, disability or familial status; or

39 (6) intentionally misappropriate or misuse any personal property or  
40 real property of a client or customer.

41 (f) No applicant or licensee shall:

42 (1) Engage in fraud or make any substantial misrepresentation to the  
43 commission;

1 (2) commit forgery in any representation or document submitted to  
2 the commission;

3 (3) sign or initial, on behalf of another person, any application, for or  
4 accompanying document submitted to the commission unless authorized to  
5 do so by a duly executed power of attorney;

6 (4) interfere with any investigation, administrative proceeding, quasi-  
7 judicial proceeding or any other disciplinary matter of the commission,  
8 including, but not limited to:

9 (A) Threatening to engage in or engaging in physical abuse or  
10 harassment toward any witness, complainant or individual listed in  
11 subsection (e)(1);

12 (B) destroying evidence;

13 (C) refusing or failing to appear or testify under oath at any hearing;  
14 or

15 (D) refusing or failing to respond in a timely manner to any request  
16 from the commission or the commission's designee for documents or  
17 information that concerns directly or indirectly any real estate transaction  
18 or the licensee's real estate business;

19 (5) fail without just cause to surrender any document or instrument to  
20 the rightful owner; or

21 (6) demonstrate incompetency to act as a broker, associate broker or  
22 salesperson in dealings with the commission, including the repeated failure  
23 to:

24 (A) Submit required forms to the commission in a timely and  
25 complete manner;

26 (B) make available to the commission all records relating to the real  
27 estate business; or

28 (C) comply with the provisions of this subsection.

29 (g) A branch broker shall not be employed by or associated with more  
30 than one supervising broker at any one time unless each supervising broker  
31 who employs or associates with the branch broker consents to such  
32 multiple employment or association. Such consent shall be on a form  
33 provided by the commission and shall not be effective until a signed copy  
34 of the completed form has been filed with the commission.

35 (h) *A violation of section 2, and amendments thereto, by a licensee*  
36 *shall constitute a prohibited act under this section.*

37 (i) Nothing in this section shall be construed to grant any person a  
38 private right of action for damages or to eliminate any right of action  
39 pursuant to other statutes or common law.

40 Sec. 5. K.S.A. 58-3034 and 58-3062 are hereby repealed.

41 Sec. 6. This act shall take effect and be in force from and after its  
42 publication in the statute book.

## KREC Staff Guidelines for Disposition of License Applications

Effective February 2, 2026

- This document delegates the authority for Commission staff to approve, approve with restrictions or conditions or deny certain license applications, renewals or affiliation changes if they meet a requirement listed in the document.
- Any violations that meet the requirement for denial, restricted or conditioned status or review by the commission, may also be subject to fines. Any license application scenario not listed in this document shall be reviewed by the Commission member delegated for original and renewal application review.
- Pursuant to K.S.A. 48-3406, and amendments thereto, all fees related to original licensure and license renewal are waived for individuals who are the spouse of a military service member or former member with an honorable discharge who resides or plans to reside in Kansas. This includes application, background check, original licensure, renewal and late renewal fees. Approval of original license applications or renewal is still subject to the requirements listed in this document.

### Staff May Approve with No Restrictions or Conditions

#### Criminal History/Unlicensed Activity Reported

- Any disclosed Misdemeanor convictions (**except Misdemeanor Sexual Battery w/in bar period**). Court commitment must be complete.
- Any disclosed Felony alcohol or drug related convictions outside the bar period or any other disclosed felony where the completion of any sentence and post release supervision is more than 15 years prior to the application date. [K.S.A. 58-3043(e)(2)].
- Any successfully completed misdemeanor diversion, suspended imposition of sentence (SIS) or deferment.
- Any applicant (**original/renewal**) disclosing a criminal history or disciplinary action previously reviewed by Commission except pending felony charges.
- Any renewal or relicensure applicant reporting unlicensed activity who has not been previously cited for this violation. Compliance will review for disciplinary action after the renewal is processed.
- Broker applicant who fails to disclose criminal history **previously reported in sales app/renewals**.

#### Disciplinary Action Against a Professional License

- Single instance of disciplinary action that didn't result in denial, suspension, revocation, probation or voluntary surrender of the license and has since been resolved. Suspension related to non-payment of taxes or completion of continuing education (including suspensions as a result of suspension another state issued related to these matters) would not be included.
- Renewal application where the applicant's Kansas license was suspended during the renewal period and the suspension has been lifted.
- Broker applicant who fails to disclose professional disciplinary action (except for disciplinary action taken by KREC) **previously reported in sales app/renewals**.

## KREC Staff Guidelines for Disposition of License Applications

- Request to lift restriction if three years have elapsed since the restriction was placed on the license with no additional formal disciplinary action in Kansas or another state.

### **Broker Experience**

- Broker applicant who meets experience and transaction requirement for unrestricted license, even if they were previously denied due to lack of experience.
- Broker applicant who had an unrestricted Kansas broker license prior to letting their license expire and the expiration date has been within two years of the application date (no transaction points needed).

NUMBER OF YEARS LICENSED	Transaction points WITHIN THE LAST 3 YEARS	LICENSE STATUS
15 or more years	20 or more	Unrestricted
3 or more years but less than 15 years	30 or more	Unrestricted
More than 2 but less than 3 years	40 or more	Unrestricted

- 3 points per closed commercial or agricultural land real estate transaction over \$1,000,000.
- 1 point per closed transaction all other real estate transaction types.
- No points for transactions as a residential property manager.
- Applicant can include points if they were the supervising broker and the transaction was completed by an affiliated licensee under their supervision. No points for transactions as part of team or group if applicant's name is not on the purchase contract.
- Maximum of 10 points for transactions with personal interest.

### **Broker Restriction Lift Request**

- If a broker with a restriction to no affiliated licensees due to lack of experience provides documentation of sufficient transactions to be granted a broker's license (must submit documentation of completion of broker management course if not completed prior to broker application).
- If the restriction has been on the broker's license for more than 15 years and the license has been in active status since issuance.

## **Staff May Approve with Warning Letter**

### **Failure to Disclose-prior warning letters/orders for failure to disclose must go to Commission**

- Failure to disclose any misdemeanor cases more than five years old, if applicant is eligible for unrestricted license.
- Failure to disclose no more than two person misdemeanor cases or any number of nonperson misdemeanor cases less than five years old.
- Broker applicant who disclosed criminal history or professional disciplinary action not reported in sales app/renewals.
- Renewal applicant who discloses professional disciplinary action or criminal history not timely reported or that should have been reported on original application or prior renewal.

## KREC Staff Guidelines for Disposition of License Applications

- If probation/diversion/disciplinary action is ongoing, also send Directive for compliance w/court orders and status updates.

### Unlicensed Activity Reported

- Relicensure or late renewal applicant reporting unlicensed activity while expired who has been previously cited for this violation more than five years ago

## Staff May Approve with Restrictions, Conditions or Directives

### Criminal History/Professional Disciplinary Action

- Professional discipline due to tax issues not yet resolved. Send directive requiring compliance with tax payment plan and quarterly status reports.
- Pending misdemeanor cases with ongoing probation/diversion, any pending felony charge or felony diversion case. Send directive requiring compliance w/any sentence or court orders and status report of final disposition of case. If convicted of felony would go to I-Team for review.
- Any disclosed non-alcohol or drug related felony convictions outside the bar period where the completion of the sentence and any post release supervision is less than 15 years from the application date. Licensee restricted indefinitely to supervision of broker.
- Transfer/Reactivation request for licensee who is currently restricted/conditioned- **request must include letter from new proposed broker acknowledging restriction or condition and agreeing to supervise. Unless Commission Review is required, process then forward to legal for amended order.** Same for company broker change of a restricted licensee.
- Broker applicant with a salesperson license currently restricted or conditioned. Same restrictions/conditions apply to the new broker license.

### Broker Experience

- Broker applicant who meets experience and transaction requirement for a restricted license, even if they were previously denied due to lack of experience.

NUMBER OF YEARS LICENSED	Transaction points WITHIN THE LAST 3 YEARS	LICENSE STATUS
2 or more years	20 to 39	Restricted**

\*\* The restriction would prohibit supervision of any Kansas licensees. To request the restriction be lifted, a written petition must be submitted with new experience/education for consideration by the Commission.

- 3 points per closed commercial or agricultural land real estate transaction over \$1,000,000.
- 1 point per closed transaction all other real estate transaction types.
- No points for transactions as a residential property manager.
- Applicant can include points if they were the supervising broker and the transaction was completed by an affiliated licensee under their supervision. No points for transactions as part of team or group if licensee's name is not on the purchase contract.
- Maximum of 10 points for transactions with personal interest.

## K.S.A 48-3406 Applications

- Staff may approve an original application for a license pursuant to K.S.A 48-3406 if the applicant:
  - Meets at least one of the following:
    - Is a military spouse or a military servicemember, as defined in K.S.A. 48-3406, and who has held a valid license from another state during any period in the last two years that allows the applicant to perform the same scope of practice as contained in K.S.A. 58-3035(c), (f), (o) and (p); OR
    - Is an individual who has established or intends to establish residency in this state who holds a valid license from another state that allows the applicant to perform the same scope of practice as contained in K.S.A. 58-3035(c), (f), (o) and (p) and has had that license in active status for at least two years preceding application; AND
  - Does not have a disqualifying criminal record requiring Commission review pursuant to the delegation of authority document; AND
  - Has not had disciplinary action taken against their license or committed an act in another jurisdiction that would have constituted grounds for limitation, suspension, or revocation of the license requiring Commission review pursuant to the delegation of authority document.
- Staff can approve an applicant qualifying for licensure under the provisions of K.S.A. 48-3406 who must be restricted to allow for the same scope of practice as authorized by a license held in another state.
- An applicant applying under the provisions of K.S.A. 48-3406 shall submit all required application materials except proof of prelicense education and Pearson examination pass result.
- A broker applicant for a license pursuant to K.S.A. 48-3406 who meets the qualifications contained in this section for an unrestricted broker's license does not have to submit broker experience log sheets.

## Staff May Deny

Original application with a felony or misdemeanor sexual battery conviction within the bar period [K.S.A. 58-3043(e)(2)].

## Must Go to Commission

- New Applicant reporting unlicensed activity or late Renewal Applicant reporting unlicensed activity while expired **who has been previously cited for this violation within the last five years.**
- Broker applicant with less than 20 transaction points in the past three years.
- Broker applicant who does not want a restricted or conditioned license based on criteria staff may not otherwise approve.

## KREC Staff Guidelines for Disposition of License Applications

- Unresolved professional discipline: any action that resulted in denial, suspension, probation, voluntary surrender or revocation **(unless this was result of criminal history/felony conviction that falls within guidelines for staff approval)**. Suspension related to non-payment of taxes or completion of continuing education would not be included.
- New applicant with felony conviction, felony diversion, SIS outside of bar period unless previously reviewed by the Commission or any pending felony charges.
- Renewal applicant with felony conviction, felony diversion, SIS not previously reviewed by Commission or any pending felony charges.
- Failure to disclose more than two person misdemeanor cases less than five years old.
- Failure to disclose a felony case.

## KREC Staff Guidelines for Disposition of License Applications

Effective ~~May 19, 2025~~ February 2, 2026

- This document delegates the authority for Commission staff to approve, approve with restrictions or conditions or deny certain license applications, renewals or affiliation changes if they meet a requirement listed in the document.
- Any violations that meet the requirement for denial, restricted or conditioned status or review by the commission, may also be subject to fines. Any license application scenario not listed in this document shall be reviewed by the Commission- member delegated for original and renewal application review to make a determination.
- ~~Effective July 1, 2025, pursuant to 2025 HB 2280~~ Pursuant to K.S.A. 48-3406, and amendments thereto, all fees related to original licensure and license renewal are waived for individuals who are the spouse of a military service member or former member with an honorable discharge who resides or plans to reside in Kansas. This includes application, background check, original licensure, renewal and late renewal ~~late~~ fees. Approval of original license applications or renewal is still subject to the requirements listed in this document.

### Staff May Approve with No Restrictions or Conditions

#### Criminal History/Unlicensed Activity Reported

- Any disclosed Misdemeanor convictions (**except Misdemeanor Sexual Battery w/in bar period**). Court commitment must be complete.
- Any disclosed Felony alcohol or drug related convictions outside the bar period or any other disclosed felony where the completion of any sentence and post release supervision is more than 15 years prior to the application date. [K.S.A. 58-3043(e)(2)].
- ~~Any~~ Any successfully completed misdemeanor diversion, suspended imposition of sentence (SIS) or deferment.
- Any applicant (**original/renewal**) disclosing a criminal history or disciplinary action previously reviewed by Commission except pending felony charges.
- Any renewal or relicensure applicant ~~-reporting~~ unlicensed activity who has not been previously cited for this violation. Compliance will review for disciplinary action after the renewal is processed.
- Broker applicant who fails to disclose criminal history **previously reported in sales app/renewals.**

#### Disciplinary Action Against a Professional License

- Single instance of disciplinary action that didn't result in denial, suspension, revocation, probation or voluntary surrender of the license and has since been resolved. Suspension related to non-payment of taxes or completion of continuing education (including suspensions as a result of suspension another state issued related to these matters) would not be included.

## KREC Staff Guidelines for Disposition of License Applications

- Renewal application where the applicant's Kansas license was suspended during the renewal period and the suspension has been lifted.
- Broker applicant who fails to disclose professional disciplinary action (except for disciplinary action taken by KREC) **previously reported in sales app/renewals.**
- Request to lift restriction if three years have elapsed since the restriction was placed on the license with no additional formal disciplinary action in Kansas or another state.

### **Broker Experience**

- Broker applicant who meets experience and transaction requirement for unrestricted license, even if they were previously denied due to lack of experience.
- Broker applicant who had an unrestricted Kansas broker license prior to letting their license expire and the expiration date has been within two years of the application date (no transaction points needed).

NUMBER OF YEARS LICENSED	Transaction points WITHIN THE LAST 3 YEARS	LICENSE STATUS
<u>15 or more years</u>	<u>20 or more</u>	<u>Unrestricted</u>
3 or more years <u>but less than 15 years</u>	30 or more	Unrestricted
More than 2 but less than 3 years	40 or more	Unrestricted

- 3 points per closed commercial or agricultural land real estate transaction over \$1,000,000.
- 1 point per closed transaction all other real estate transaction types.
- No points for transactions as a residential property manager.
- Applicant can include points if they were the supervising broker and the transaction was completed by an affiliated licensee under their supervision. No points for transactions as part of team or group if licensee's applicant's name is not on the purchase contract.
- Maximum of 10 points for transactions with personal interest.

### **Broker Restriction Lift Request**

- If a broker with a restriction to no affiliated licensees due to lack of experience provides documentation of sufficient transactions to be granted a broker's license (must submit documentation of completion of broker management course if not completed prior to broker application).
- If the restriction has been on the broker's license for more than 15 years and the license has been in active status since issuance.

## **Staff May Approve with Warning Letter**

### **Failure to Disclose-prior warning letters/orders for failure to disclose must go to Commission**

- Failure to disclose any misdemeanor cases more than five years old, if applicant is eligible for unrestricted license.

## KREC Staff Guidelines for Disposition of License Applications

- Failure to disclose no more than two person misdemeanor cases or any number of nonperson misdemeanor cases less than five years old.
- Broker applicant who disclosed criminal history or professional disciplinary action not reported in sales app/renewals.
- Renewal applicant who discloses professional disciplinary action or criminal history not timely reported or that should have been reported on original application or prior renewal.
- If probation/diversion/disciplinary action is ongoing, also send Directive for compliance w/court orders and status updates.

### Unlicensed Activity Reported

- Relicensure or late renewal applicant reporting unlicensed activity while expired who has been previously cited for this violation **more than five years ago**

## Staff May Approve with Restrictions, Conditions or Directives

### Criminal History/Professional Disciplinary Action

- Professional discipline due to tax issues not yet resolved. Send directive requiring compliance with tax payment plan and quarterly status reports.
- Pending misdemeanor cases ~~or~~ with ongoing probation/diversion, any pending felony charge or felony diversion case. Send directive requiring compliance w/any sentence or court orders and status report of final disposition of case. If convicted of felony would go to I-Team for review.
- Any disclosed non-alcohol or drug related felony convictions outside the bar period where the completion of the sentence and any post release supervision is less than 15 years from the application date. Licensee restricted indefinitely to supervision of broker.
- Transfer/Reactivation request for licensee who is currently restricted/conditioned- **request must include letter from new proposed broker acknowledging restriction or condition and agreeing to supervise. Unless Commission Review is required, process then forward to legal for amended order.** Same for company broker change of a restricted licensee.
- Broker applicant with a salesperson license currently restricted or conditioned. Same restrictions/conditions apply to the new broker license.

### Broker Experience

- Broker applicant who meets experience and transaction requirement for a restricted license, even if they were previously denied due to lack of experience.

NUMBER OF YEARS LICENSED	Transaction points WITHIN THE LAST 3 YEARS	LICENSE STATUS
2 or more years	20 to 39	Restricted**

\*\* The restriction would prohibit supervision of any ~~KS~~ Kansas licensees. To request the restriction be lifted, a written petition must be submitted with new experience/education for consideration by the Commission.

## KREC Staff Guidelines for Disposition of License Applications

- 3 points per closed commercial or agricultural land real estate transaction over \$1,000,000.
- 1 point per closed transaction all other real estate transaction types.
- No points for transactions as a residential property manager.
- Applicant can include points if they were the supervising broker and the transaction was completed by an affiliated licensee under their supervision. No points for transactions as part of team or group if licensee's name is not on the purchase contract.
- Maximum of 10 points for transactions with personal interest.

### K.S.A 48-3406 Applications

- Staff may approve an original application for a license pursuant to K.S.A 48-3406 if the applicant:
  - Meets at least one of the following:
    - Is a military spouse or a military servicemember, as defined in K.S.A. 48-3406, and who has held a valid license from another state during any period in the last two years that allows the applicant to perform the same scope of practice as contained in K.S.A. 58-3035(c), (f), (o) and (p); OR
    - Is an individual who has established or intends to establish residency in this state who holds a valid license from another state that allows the applicant to perform the same scope of practice as contained in K.S.A. 58-3035(c), (f), (o) and (p) and has had that license in active status for at least two years preceding application; AND
  - Does not have a disqualifying criminal record requiring Commission review pursuant to the delegation of authority document; AND
  - Has not had disciplinary action taken against their license or committed an act in another jurisdiction that would have constituted grounds for limitation, suspension, or revocation of the license requiring Commission review pursuant to the delegation of authority document.
- Staff can approve an applicant qualifying for licensure under the provisions of K.S.A. 48-3406 who must be restricted to allow for the same scope of practice as authorized by a license held in another state.
- An applicant applying under the provisions of K.S.A. 48-3406 shall submit all required application materials except proof of prelicense education and Pearson examination pass result.
- A broker applicant for a license pursuant to K.S.A. 48-3406 who meets the qualifications contained in this section for an unrestricted broker's license does not have to submit broker experience log sheets.

## Staff May Deny

- Original application with a felony or misdemeanor sexual battery conviction within the bar period [K.S.A. 58-3043(e)(2)].

## Must Go to Commission

- New Applicant reporting unlicensed activity or late Renewal Applicant reporting unlicensed activity while expired **who has been previously cited for this violation within the last five years.**
- Broker applicant with less than 20 transaction points in the past three years.
- Broker applicant who does not want a restricted or conditioned license based on criteria staff may not otherwise approve.
- Unresolved professional discipline: any action that resulted in denial, suspension, probation, voluntary surrender or revocation **(unless this was result of criminal history/felony conviction that falls within guidelines for staff approval)**. Suspension related to non-payment of taxes or completion of continuing education would not be included.
- New applicant ~~with~~ felony conviction, ~~or~~ felony diversion, ~~or~~ SIS outside of bar period unless previously reviewed by the Commission or any pending felony charges.
- Renewal applicant ~~with~~ felony conviction, ~~or~~ felony diversion, ~~or~~ SIS not previously reviewed by Commission or any pending felony charges.
- Failure to disclose more than two person misdemeanor cases less than five years old.
- Failure to disclose a felony case.

# PUBLIC COMMENT

**From:** [Lucas Soltow](#)  
**To:** [KREC \[KREC\]](#)  
**Subject:** Policy Suggestion  
**Date:** Friday, December 19, 2025 3:19:15 PM

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**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I'm writing to suggest the commission consider the possibility of changing the current system of licensing.

I recently had the experience of having two agents fail to properly renew their licenses and I was unaware of the issue for far too long. I accept my responsibility for the oversight, but in my own defense I knew that the agents had completed their education well in advance of the expiration date. My oversight was a failure to ensure they actually paid the fee.

I have learned through this process that this issue has happened a few other times at other local brokerages, and I also heard that at least two other states (MO and NC) approach license renewals in a way that I think would significantly reduce the number of unintentional violations.

These states have all licenses expire on the same calendar date every year. Everyone knows the date and it's the same day for everyone. Everyone knows Tax Day. Everyone knows Election Day. I think "License Day" would have prevented the oversight in my office.

I would simply ask that you examine the frequency of these kinds of violations and maybe see if it's happening often enough that maybe an examination of a system-wide solution might be worth considering.

I'm not abdicating personal responsibility and I have taken steps to ensure it doesn't happen again, but according to our EO Sherri Barnes this has happened a few other times just in our community.

Thanks for your time.

Happy holidays!

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