



KANSAS REAL ESTATE COMMISSION

Three Townsite Plaza
120 SE 6th Avenue, Suite 200
Topeka, Kansas 66603-3511
krec@krec.ks.gov (785)296-3411

COMPLAINT FORM

Form No. RE-650

COMPLAINT FORM INSTRUCTIONS

AUTHORITY

The mission of the Kansas Real Estate Commission is to license qualified individuals, promote education, and to regulate and require compliance with Commission statutes and regulations. KREC is a regulatory agency designed to enforce the administrative licensing law. The Commission has authority to take disciplinary action against a licensee, including imposition of fines or suspension, revocation or conditioning of a license. Cases involving unlicensed individuals will be referred to the appropriate criminal authority.

The period of time KREC can exercise disciplinary action is governed by a statute of limitations. Generally, formal disciplinary action must be filed by the Commission no more than three years from the date of violation.

To initiate disciplinary action, the Commission must determine whether the individuals involved are under KREC's jurisdiction (see authority section below), whether a violation of the Kansas Real Estate Brokers' and Salespersons' Act, the Brokerage Relationships in Real Estate Transactions Act or the regulations adopted thereunder has occurred, and whether there is sufficient evidence to demonstrate such violation.

The Commission does not have authority to enforce or rescind contractual agreements, adjudicate civil matters, collect moneys, recover losses, award damages, or determine civil liabilities or culpabilities. KREC will not investigate landlord/tenant disputes, construction defects, ethics violations, home owners association violations, loan, interest rate, or title problems, or insurance issues. The Commission cannot provide legal advice or act as your attorney. For additional information regarding the Commission's policy on complaints, please review Guidance Document 13-03 on our Website.

Your complaint may fall within the jurisdiction of the Kansas Association of Realtors (KAR). KAR is a trade association and is not affiliated with the Commission. KAR has jurisdiction over the ethics and standards of practice of its members. To find out if a licensee is a member of KAR, visit their website at www.kansasrealtor.com.

KREC RECOMMENDATION

Due to the high volume of complaints received, KREC recommends that complaints about Kansas licensees that do not involve actual harm or a threat of actual harm to the consuming public be addressed in the following manner:

When practicable, contact the licensee or the licensee's supervising broker (look-up feature available on the KREC website using the Licensee Search function). A friendly reminder is always better than legal action, and many complaints can be resolved this way. If an adjustment or resolution is not reached promptly, then proceed to notify the Commission of the potential violation(s).

FILING A COMPLAINT

The Commission accepts complaints submitted on the attached Complaint Form. Complaints may be filed by mail or email, and **must be typed**. File size limitations may prevent receipt of emails with large attachments.

Individuals who file complaints may be called on to produce evidence or testify regarding their allegations. Your complaint will become a public record. In addition, a copy of the complaint may be sent to the licensee/individual who is the subject of the complaint.

Anonymous complaints are only investigated if the consuming public has been harmed in some way or there is a significant threat of harm to the consuming public. Notarization is not required, but is preferred.

**KANSAS REAL ESTATE COMMISSION**

Three Townsite Plaza
120 SE 6th Avenue, Suite 200
Topeka, Kansas 66603-3511
krec@krec.ks.gov (785)296-3411

COMPLAINT FORM

Form No. RE-650

COMPLAINT FORM INSTRUCTIONS continued**INFORMATION NEEDED**

Include your name and contact information, as well as name and contact information of other individuals with knowledge of the complaint, and the name and contact information for the individual against whom the complaint is being filed.

Provide a detailed explanation of the facts and circumstances surrounding your complaint (who, what, where, when, why, how). Start at the beginning and describe the events as they occurred; be specific. If you attempted to resolve the issue personally, please include details of that correspondence. Describe your role in any transaction and your relationship with all involved parties (including the other people with knowledge of this complaint). You need not cite a particular law or regulation; the Commission will make that determination.

SUPPORTING DOCUMENTATION

Include legible copies of all relevant documents. The Commission is unable to take action without actual proof of a violation, so it is imperative that you send copies of any evidence. This might include transaction documents, agreements, offers, statements, receipts, articles, court documents, correspondence, or other pertinent documents. Originals sent to the Commission will not be returned. If your email attachments are voluminous, the complaint should be submitted by mail because servers may block large attachments.

INVESTIGATION OF COMPLAINTS

Upon receipt of a complaint, the Commission will issue an acknowledgement letter confirming receipt and, if an investigation is opened, requesting any additional information which might be required for the investigation. Responses to KREC's requests for information and documents should be made promptly.

The Commission is unable to provide information regarding the status of complaints or investigations. However, upon closure of the complaint, you will receive a letter indicating the complaint has been closed and the reason for closure (i.e., disciplinary action was taken, no jurisdiction, no regulatory authority, no violation, etc.).

The investigation process can be lengthy and may take many months or years, depending on the nature and complexity of the matter. KREC investigates complaints based on a priority policy adopted by the Commission (see Guidance Document 13-03). Due to the high volume of complaints received, it is possible that your complaint may not be investigated.

RECOVERY FUND

The Commission administers the real estate recovery fund, which is designed to reimburse persons who suffer monetary damages due to the actions of real estate licensees in the sale of real estate or leasing of commercial property. A claimant must have obtained a final court judgment against a Kansas licensee and be unable to collect the judgment before a claim can be made against the recovery fund. An order of payment from the fund must be issued by a Kansas district court before a claim can be paid out of the recovery fund.

Payments for claims arising out of the same transaction are limited to \$15,000, regardless of the number of claimants or parcels of real estate involved in the transaction. For additional information on qualified parties, limitations or conditions, see K.S.A. 58-3066, *et seq.*

	KANSAS REAL ESTATE COMMISSION Three Townsite Plaza 120 SE 6 th Avenue, Suite 200 Topeka, Kansas 66603-3511 krec@krec.ks.gov (785)296-3411	COMPLAINT FORM Form No. RE-650
---	---	--

This form must be typed. Use additional pages, as needed.

CONTACT INFORMATION

Person Making Complaint: (please notify the Commission if the following information changes)

Name		Email	
Address	City	State	Zip
Home Phone	Cell Phone		Work Phone

Name		Email	
Address	City	State	Zip
Home Phone	Cell Phone		Work Phone

Others with Knowledge of this Matter:

Name		Email	
Address	City	State	Zip
Home Phone	Cell Phone		Work Phone

Name		Email	
Address	City	State	Zip
Home Phone	Cell Phone		Work Phone

Person/Licensee Against Whom Complaint is Made:

Name		KS License Number	Email
Other Name(s) Used		Company	Franchise
Address			
City	State	Zip	Phone

Name		KS License Number	Email
Other Name(s) Used		Company	Franchise
Address			
City	State	Zip	Phone

**KANSAS REAL ESTATE COMMISSION**

Three Townsite Plaza
120 SE 6th Avenue, Suite 200
Topeka, Kansas 66603-3511
krec@krec.ks.gov (785)296-3411

COMPLAINT FORM

Form No. RE-650

NATURE OF COMPLAINT

► What is the nature of the complaint (misrepresentation, disclosure, criminal history, agency, advertising, etc.)? _____

► Were you a party to the transaction? ☐ No ☐ Yes, check all that apply: ☐ Buyer ☐ Seller ☐ Buyer's Agent ☐ List Agent
☐ Seller's Agent ☐ Transaction Broker

► Have you attempted to contact the individual/licensee or the supervising broker? ☐ No ☐ Yes, list dates and results below:

Date: _____ Person: _____
Results: _____

Date: _____ Person: _____
Results: _____

Date: _____ Person: _____
Results: _____

► Have you filed this complaint with another state or law enforcement agency? ☐ No ☐ Yes, list agency name and date:

Date: _____ Agency: _____

Date: _____ Agency: _____

► Have you retained an attorney to assist in resolving this matter? ☐ No ☐ Yes, include contact information below:

Name		Phone	Email
Address			
City	State	Zip	County

► Is there a civil action or other litigation filed or pending related to this complaint? ☐ No ☐ Yes, include information below:

PLAINTIFF NAME	DEFENDANT NAME
NAME OF COURT	CITY & STATE OF COURT
CASE NO.	DATE OF FILING

**KANSAS REAL ESTATE COMMISSION**

Three Townsite Plaza
120 SE 6th Avenue, Suite 200
Topeka, Kansas 66603-3511
krec@krec.ks.gov (785)296-3411

COMPLAINT FORM

Form No. RE-650

SUPPORTING DOCUMENTATION

- | | |
|---|---|
| <input type="checkbox"/> Sales Contract | <input type="checkbox"/> Appraisal |
| <input type="checkbox"/> Listing/Management Agreement | <input type="checkbox"/> Repair Bill |
| <input type="checkbox"/> Settlement Statement | <input type="checkbox"/> Receipt |
| <input type="checkbox"/> Contract Addendum | <input type="checkbox"/> Monthly Statement |
| <input type="checkbox"/> Cancelled Check | <input type="checkbox"/> Correspondence |
| <input type="checkbox"/> Disclosure Statement | <input type="checkbox"/> Litigation Documents |
| <input type="checkbox"/> Lease/Rental Agreement | <input type="checkbox"/> Court Record |
| <input type="checkbox"/> Closing Statement | <input type="checkbox"/> Newspaper article |
| <input type="checkbox"/> MLS printout | <input type="checkbox"/> Escrow Instructions |
| <input type="checkbox"/> Advertisement | <input type="checkbox"/> Other: _____ |

EXPLANATION OF COMPLAINT

- ☐ I have included a narrative explanation of this complaint (see page 6).

VERIFICATION

I declare under penalty of perjury under the laws of the State of Kansas that I have read and understand this form and that the information provided on this form and all attached pages/documents is true, correct and complete to the best of my knowledge.

SIGNATURE (NO ELECTRONIC OR STAMPED SIGNATURES PERMITTED)

DATE SIGNED

SIGNATURE (NO ELECTRONIC OR STAMPED SIGNATURES PERMITTED)

DATE SIGNED

