

2020 Kansas Statutes

58-3047. Issuance of license; deactivation and reinstatement; termination of salesperson or associate broker, effect on license; duties of supervising broker and branch broker; effect of deactivation. (a) The commission shall issue a license as broker or salesperson to each applicant who is qualified under and complies with all provisions of this act and rules and regulations adopted hereunder. The form of license shall be prescribed by the commission.

(b) A salesperson's or associate broker's license shall be in the control of their supervising broker or branch broker, if applicable, until deactivated by the commission at the request of the salesperson or associate broker or the supervising broker or branch broker.

(c) The supervising broker or branch broker shall immediately notify the commission of the termination of employment or association with a salesperson or associate broker and request deactivation of the salesperson's or associate broker's license. A license deactivated but not suspended or revoked may be reinstated at any time during the period for which it was issued upon receipt of the fee for reinstatement prescribed by K.S.A. 58-3063, and amendments thereto, and an application therefor. Such application shall be made on a form provided by the commission.

(d) If a supervising broker or branch broker requests a salesperson's or associate broker's license to be deactivated for a violation of this act or rules and regulations adopted hereunder, or the brokerage relationships in real estate transactions act or rules and regulations adopted thereunder, the supervising broker or branch broker shall submit a written statement to the commission, within 10 days, setting forth the alleged facts that were involved. The supervising broker of the primary office shall be responsible for ensuring that the branch broker complies with this subsection.

(e) A license deactivated for a period of not more than two years and that is not suspended or revoked shall be reinstated if the licensee complies with the requirements of K.S.A. 58-3046a, and amendments thereto, for the immediately preceding license period and pays the fee for reinstatement prescribed by K.S.A. 58-3063, and amendments thereto, and an application therefor. Such application shall be made on a form provided by the commission.

(f) A license deactivated for a continuous period of more than two years and not more than five years and that is not suspended or revoked shall be reinstated if the licensee submits evidence, satisfactory to the commission, of attendance at continuing education approved by the commission that totals six additional hours of instruction for each full year that the license has been on deactivated status, pays the fee for reinstatement prescribed by K.S.A. 58-3063, and amendments thereto, and an application therefor. Such application shall be made on a form provided by the commission.

(g) A license deactivated for a continuous period of more than five years and that is not suspended or revoked shall be reinstated if the licensee meets the examination requirements for an original applicant, submits evidence, satisfactory to the commission, of attendance at courses of instruction approved by the commission that totals six additional hours of instruction for each full year that the license has been on deactivated status, pays the fee for reinstatement prescribed by K.S.A. 58-3063, and amendments thereto, and an application therefor. Such application shall be made on a form provided by the commission.

(h) A licensee whose license is deactivated shall not be entitled to act in any capacity for which a license is required, until the licensee's license has been reinstated.

History: L. 1980, ch. 164, § 14; L. 1986, ch. 209, § 9; L. 2002, ch. 82, § 9; L. 2007, ch. 88, § 9; L. 2008, ch. 155, § 3; L. 2019, ch. 23, § 5; July 1.