

Andy Beshear Governor

Kerry B. Harvey, Secretary Public Protection Cabinet

H.E Corder II, Executive Director Kentucky Real Estate Authority

Kentucky Real Estate Authority

Mayo-Underwood Building 500 Mero Street, 2NE09 Frankfort, Kentucky 40601 Telephone: (502) 564-7760 Fax: (502) 564-3969

VOTING COMMISSIONERS

Lois Ann Disponett, Chair Billy Joe Beckham, Smiths Grove Shirley W. Wiseman, Lexington Steve K. Cline, Bowling Green James G. Simpson, Dry Ridge Larry D. Disney, Winchester Joy E. Amann, Ludlow

KENTUCKY REAL ESTATE COMMISSION MEETING MINUTES January 16, 2020

Commission Members Present

Commissioner Chair, Lois Ann Disponett Commissioner Steve Cline Commissioner Billy Beckham Commissioner Joy Amann Commissioner Larry Disney

Commission Members Not Present

Commissioner Shirley Wiseman Commissioner James Simpson

KREA Staff Present

H.E. Corder II, Executive Director Maryellen Mullikin, Administrative Coordinator, Licensing Coordinator Hannah Carlin, Education Coordinator Terri Hulette, Exec Admin Secretary Michael Spann, KREA Investigator Christopher Hunt, Attorney

Guests Present

Nineteen (19) guests were present at the meeting. Please see attached sign in record.

Call to Order

Commission Chair, Lois Ann Disponett, called the Kentucky Real Estate Commission meeting to order at 11:03 a.m. on January 16, 2020. Commission Chair Disponett took roll and a quorum was present.

Approval of Meeting Minutes

Commissioner Cline made a motion to approve the December 19, 2019 Commission Meeting Minutes. Commissioner Beckham seconded the motion. There being no objection with all in favor, the motion carried.

Education and Licensing Reports

Commission Chair Disponett thanked Ms. Carlin for her hard work getting things ready with all of the recent changes.



2020 Course and Instructor Approvals

Ms. Carlin combined Education Courses and Instructors to simplify the process. They all meet minimal requirements of 201 KAR 11:170. Ms. Carlin recommended that Commission approve the list of associated applicants and courses (see attached list). Commissioner Beckham made a motion to approve. Commissioner Disney seconded the motion, but abstained from voting on courses from Dennis Badger & Associates and any other matters that relate to them. With no further discussion and all in favor, the motion carried.

2019 CE Extension Requests

Ms. Carlin presented licensee requests for the Commission to review. They are a compilation of CE hardship requests, licensing requests and renewal requests.

Commissioner Cline motioned to deny the extension for licensee #180034. Commissioner Beckham seconded motion. Having all in favor, motion carried.

Commissioner Disney motioned to approve waiving the \$500 education fine for licensee #197883. Commissioner Cline seconded motion. Having all in favor, motion carried.

Commissioner Beckham motioned to approve waiving the \$500 education fine for licensee #212996 and move to inactive status. Commissioner Cline seconded motion. Having all in favor, motion carried.

Commissioner Amann motioned to approve waiving the \$500 education fine for licensee #197598. Commissioner Disney seconded motion. With four (4) in favor, and Commissioner Cline voting against, motion carried.

Commissioner Beckham motioned to approve waiving the \$500 education fine for licensee #212591. Commissioner Disney seconded motion. Having all in favor, motion carried.

Commissioner Beckham motioned to deny waiving the \$200 late 2019 renewal fee for licensee #181237. Commissioner Disney seconded motion. Having all in favor, motion carried.

Licensee #206885 was included in a list of candidates whom were cancelled by PSI before their License Recognition exam after law changed. PSI was made aware of the new legislation on December 16. Ms. Mullikin suggested that this licensee and twelve (12) other candidates be allowed to take the exam by January 31 with the understanding they need to submit their application for licensure no later than March 31. The process would entail Ms. Mullikin contacting PSI to re-establish the exam for the specific candidates and, after passing the exam, issue the License Recognition out of fairness for the untimely passage of 201 KAR 11:210. Commissioner Cline made a motion for candidates who were scheduled to take the exam to take the exam, including Licensee #206885, to complete the application process by March 31. Commissioner Amann seconded the motion. Mr. Hunt said if they are allowed to re-take, it should be a special one-time return engagement to let the candidates continue and only have one (1) shot to pass. Commissioner Amann amends the motion to have one (1) opportunity to take the exam with a special re-institution of the License Recognition exam. Commissioner Cline withdraws his motion. Commissioner Amann made a motion to have the individuals scheduled before December 16, 2019 take the exam one (1) time and submit their application by March 1, 2020 with no renewal fees due. Commissioner Disney seconded, with all in favor, motion carried. Commissioner Cline made a motion to approve the twelve (12) candidates.

Commissioner Beckham seconded. Having no objection with all in favor, motion carried.

Education and Licensing Statistics

Per the Commission's request, Ms. Carlin compiled a list a monthly report of test takers (see attached list).

Real Estate Authority Director Comments

Director Corder apologized for the confusion on the new law about signage. "Shall end in team or group" was not intended for everyone to have to change their company name. "Transactional broker" was added to the sellers disclosure form. Rhonda Richardson said that the LRC has a copy but it is not official. You can still correct the form and it can be substituted. Director Corder suggested voting "In light of the forms that were presented today..." but no vote was taken. Director Corder stated that he is researching cross modular manufactured housing and mini houses for veterans or transitional housing for rehab through HUD.

Committee Reports

Applicant Review Committee deferred the committee report toward end of the meeting to enter executive session for review of one licensure applicant.

Education Review Committee had no reports for this meeting.

Unlicensed Complaint Committee had no reports for this meeting.

Property Management Committee had no reports for this meeting.

Cross-referencing Committee had no reports for this meeting.

Legal Report

Having no legal counsel on staff during the current transition, no legal reports were offered at this meeting. No new emails were brought to the table. Update on Regulations will be put off until we get legal counsel. Ms. Mullikin inquired about adding items to the approved forms that had inadvertently been omitted (i.e. On Form 203 space to add phone number for the insurance). Mr. Hunt stated you would have to go back in front of the committee to get it approved, but may it be considered a technical amendment.

In regards to the agency form that was incorporated in the regulation version from October 2019, Commissioner Cline made a motion to go back and replace what was approved with the old form, but add transactional brokerage. Commissioner Disney seconded. Having no objection with all in favor, motion carried. See attachment from Commissioner Disponett. Discussion was to leave it on the website until it is updated and substituted at LRC. Notification can be made to the public that the form is being amended. Mr. Hunt will double check on process.

Per Ms. Carlin, an updated version of Core and Licensee Compliance course curriculums including forms, by February Commission meeting in order to get correct material to move forward. Mr. Hunt added you have a right to acknowledge technical difficulties in getting correct form published.

Commissioner Cline made a motion to give a grace period to be using new forms by June 1, 2020 in order to be compliant. Commissioner Disney seconded. Discussion from Commissioner Amann: 1) let things happen with no violation as they are now; 2) acknowledge forms are still being promulgated and no one is required to use prior to June 1. Having no objection with all in favor, motion carried. A clarification was made that "incorrect" means new forms that are incorrect as well as the old forms that no one knows exist. A confirmation was made from Ms. Mullikin to send out a mass email regarding the new deadline of June 1. It was suggested for

Hannah to send an email out to instructors as well.

Mr. Spann is an investigator and works directly with General Counsel. He asked that everyone be "your brother's keeper" to be diligent in trying to circulate new regulations and disseminate new information. Mr. Spann has held off on fifteen cease and desist letters until we get a new General Counsel.

New Business

2020 Calendar

Commissioner Beckham made a motion to accept to the 2020 Commission Calendar. Commissioner Disney seconded. With no objections, motion carried.

Reciprocity Update

The Ohio Agreement is in a holding pattern because of no legal counsel. Ms. Mullikin noted that Indiana has reached out to Director Corder for specifications in order to progress. Per Ms. Carlin, providers were sent the approved curriculum in November, but we have not received any course applications to review.

Committee Dates

Dates for the 2020 Commission meetings have not yet been approved because some of the dates were outside of Frankfort, KY (Lexington, Pikeville, Barren River), and meetings will not all be at 11:00 a.m.

Newsletter

Ms. Carlin hopes to have a draft of the newsletter at the February meeting.

Open Forum - Public Comments

Paul Ogden asked, "Can the Governor be asked to 'stay' the regulations about agency issues on consumer guide instead of having the June 1 deadline. Janie Wilson added that there are several contradictory terms. Mr. Hunt will work on it.

There was more discussion about Indiana reciprocity requirements. Ms. Carlin stated that Providers can submit application packets with their renewals.

Doug Myers shared that GLAR is having a teacher training with Craig Grant on September 15.

Approval of Travel & Per Diem

Commissioner Beckham motioned to approve travel and per diem for January 16, 2020. Commissioner Cline seconded the motion. With all in favor, motion carried.

Executive Session

Commissioner Cline motioned to move into Executive Session, pursuant to KRS 61.815 and KRS 61.810(1)(j) and (k), to deliberate on individual adjudications and to review records exempt from public disclosure by KRS 61.878 (l) (k) and (l). Commissioner Disney seconded the motion and it carried.

The Applicant Review Committee recommended licensure of one new applicant. Mr. Rip Phillips confirmed that the applicant is under the responsibility of Stephanie Gilezan of eXp

Realty. Commissioner Disney made a motion to come out of Executive Session to vote and go back to Open Forum. Commissioner Amann seconded, and with no objections, motion carried.

Reconvene in Open Session

Commissioner Disney made a motion to approve the license for the applicant. Commissioner Beckham seconded the motion. Having no objections, the motion carried.

Continued Open Forum

Confirming with former General Counsel, Marc Manley, Ms. Carlin quoted Mr. Manley was asked to go back to the original on the Agency Consent Form. On the Guide to Agency Relationships, the content was good to go. Commissioner Disponett was under the impression that it was supposed to be completely gone. Ms. Carlin read from the Regulations of Professional Standard "the licensee shall complete, time and date, and deliver the appropriate prospective client the Guide to Agency Relationships at the earliest of the following times: prior to entering into contemplated a written agreement; prior to entering into a contemplated oral agreement; or prior to signing an Agency Consent Agreement."

Meeting Adjournment

Commissioner Beckham made a motion to adjourn meeting with Commissioner Amann seconding motion. Having all in favor, the meeting adjourned at 1:56 p.m.

Next Commission Meeting

February 11, 2020 at 1:30 p.m. - 3:30 p.m. Embassy Suites by Hilton 1801 Newtown Pike Lexington, KY 40511



Kentucky Real Estate Commission

Commission Meeting MEETING SIGN-IN SHEET January 16, 2020

(Please Print Clearly)

Name	Organization
DOUGLAS MYROS	DOUG MYFRS CLANTER SLAVICES
SULANN COLCIUS	NKAR
Janve Wilson	NKAR
Kath Muldann	NEMAY
PARL OLDEN	
Dimerla	MS Smys PUC
Joyce Sterling	2 my ELASSEE LLC
Patrick Metz	NAI Bergman
LURTES WOUZEZ	A Turn 2 REALTY
Angi Cline	RRC
Richael Wan	KIR
Steve Stevens	KYR
Lysa Stohnson	GLAR
Ally Clr Eastons	640
Aun Tel	KYR
Andrew Grames	Exit realty Heartland
Vickie Grimes	Exit Realty Hear Hand
B. Rif Phillips	Exp Realty
Kichardson	the Home Services of Ki Huth



1. 2020 Continuing Education Courses

Greater Louisville Association of Realtors

Course Name- Course Number	Instructors	CE Hours
KREC Statute and Regulation Changes (22967)	Dennis Stilger	6 law
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2. 2020 Continuing Education and Post-License Education Courses

Greater Louisville Association of Realtors

Course Name- Course Number	Instructors	CE Hours	PLE Hours
1031 Exchanges (22238)	Harry Borders, Jennifer Fields	3 law	3 finance
Addressing Legal Issues (22960)	Lee Harris Donahue	3 law	3 elective
Advertising Laws and Ethics (21211)	Dennis Stilger	3 law	3 advertising
Agency Law and Disclosure (21234)	Dennis Stilger	3 law .	3 agency
Bullet Proofing the Real Estate Closing (18055)	Jennifer Fields, Elayne Havens	3 law	3 elective
Closing Day Success (22484)	Mike Kemp	3 law	3 elective
Condo and Home Owner Association Disclosures (21218)	Dennis Stilger	3 law	3 disclosure
Contract Law (22045)	Lee Harris Donahue	3 law	3 contracts
Contracts- Law and Theory (21153)	Dennis Stilger	3 law	3 contracts
Death, Divorce, and Taxes (22485)	Harry Borders, Jennifer Fields	3 law	3 elective
Disclosures: Required, Allowed, and Prohibited (22003)	Dennis Stilger	6 law	3 agency, 3 disclosure
Ethics: Cases and Scenarios (22486)	Mike Kemp	3 elective	3 elective
Ethics Here and Now (22488)	Kathy McGann-Pfeffer	3 elective	3 elective
Fair Housing (22005)	Dennis Stilger	3 law	3 fair housing
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FHA vs. VA Loans (22980)	Brady Webb .	3 elective	3 finance
Fraud Law and Sellers Disclosures (22966)	Dennis Stilger	3 law	3 disclosure
KHC Financing (21212)	Laurent Houekpon, Melissa Johnson, Jamie Swindler	3 elective	3 finance
Landlord Tenant Law (22008)	Dennis Stilger	3 law	3 elective
Legal Boot Camp (18059)	Harry Borders, Jennifer Fields	6 law	3 contracts, 3 disclosure
Legal Emergency First Aid Kit (22965)	Jason Vaughn	3 law	2 risk management, 1 elective
Legalities vs. Practicalities (22046)	Lee Harris Donahue	3 law	3 contracts
Limiting Referral Liability; Happy Home Inspections; What Home Inspections Are Not (22981)	William Troutman	3 elective	3 elective
Listing and Sales Contracts (21257)	Dennis Stilger	3 law	3 contracts
Mediation, Arbitration, Litigation: What is the Difference? (22420)	Dennis Stilger	3 law	2 risk management, 1 elective
Mind Your Business: Business Law Basics for Real Estate (22492)	Matt Bearden, Cora Henderson, Kelly Human	3 law	3 elective
Mortgage Pitfalls (21182)	Jeff Ratanapool	3 law	3 finance
New Home Construction and the Law (22964)	Jason Vaughn	3 law	3 elective
Presenting Multiple Offers and Agency Forms (22494)	Matt Bearden, Cora Henderson, Kelly Human	3 law	3 contracts
Property Management for Real Estate Licensees (22382)	Dennis Stilger	3 law	3 elective
Protecting Yourself- Finance, Fraud, and Future (21256)	Allen Balderson, Colleen Balderson, Thomas Sims Jr.	3 law	3 finance
Real Estate and Insurance: The Odd Couple (22945)	Steven Parrish	3 elective	3 elective
Real Property Titles in Estate and Trust (21215)	Matt Bearden, Cora Henderson, Kelly Human	3 law	2 risk management, 1 elective
Realtor's Essential Technology Toolbox (22962)	Craig Grant	3 elective	3 technology and data security
Renovation Mortgages (22043)	Joe Daly	3 elective	3 finance
Residential Measuring with ANSI (22919)	Kathy McGann-Pfeffer	· 3 law	3 elective

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Risk Avoidance (22012)	Dennis Stilger	3 law	2 risk management, elective
Safety in the Real Estate World (21255)	Greg Epley	3 elective	3 elective
Sales Contracts (21221)	Harry Borders, Jennifer Fields	3 law	3 contracts
Scared Straight: How to Avoid the Disclosure Lawsuit (22963)	- Jason-Vaughn	3 law	3 disclosure
Seller Disclosure and Procuring Cause (22538)	Harry.Borders, Jennifer Fields	· 3 law	3 disclosure
Social Media Success in Just Minutes a Day (22394)	Craig Grant	3 elective	3 advertising
Survey Says (22497)	Matt Bearden, Cora Henderson, Todd Willett	3 law	3 elective
Technology Laws, Ethics, and Fair Housing (22395)	Craig Grant	3 law	3 technology and day security
The Code of Ethics: Promise of Professionalism (21209)	Allison Bartholomew, Mike Kemp, Doug Myers	3 elective	3 elective
The KREC Top 10 List (22498)	Harry Borders, Jennifer Fields	3 law	2 risk management, elective
The Older Client and the Real Estate Agent (21226)	Kelly Gannott, Misty Vantrease	3 law	3 elective
The Tell-All on Title Insurance (22499)	Matt Bearden, Cora Henderson, Kelly Human	3 law	3 elective
Title Issues (21220)	Colleen Balderson	3 law	3 elective
Understanding the GLAR Sales Contract (22500)	Mike Kemp	3 law	3 contracts
Unique Real Estate Laws and Advice (22517)	Lee Harris Donahue	3 law	3 elective
Using RPR to Better Serve Buyers and Sellers (21216)	Steve Bagby	3 elective	3 technology and day security
VA Boot Camp (22501)	Colleen Balderson	3 law	3 fair housing
What is FICO? Everything You Need to Know About Credit (22979)	Brady Webb	3 elective	3 finance
Writing Problem Free Contracts (21214)	Matt Bearden, Cora Henderson, Kelly Human	3 _. law	3 contracts
Yes, No, or It Depends (22384)	Lee Harris Donahue	3 law	3 agency
You Before Me- Demystifying Fiduciary Duties (21178)	Doug Myers	3 law	3 agency
You Decide—15 Legal Scenarios (22961)	Lee Harris Donahue	3 law	3 elective

Real Estate School

Course Name- Course Number	Instructors	CE Hours	PLE Hours
	*		
Commercial and Investment Real Estate (22052)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Disclosures: Seller's Disclosure of Property Condition and Lead Based Paint (21165)	Rebecca Brown, Vickie Grimes	3 law	3 disclosure
Everyday Ethics in Real Estate (22051)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Fair Housing (21175)	Rebecca Brown, Vickie Grimes	3 law	3 fair housing
Foreclosures, Short Sales, REOs, and Auctions (21172)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Mortgage Fraud and Predatory Lending (22958)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Property Management (22050)	Řebecca Brown, Vickie Grimes	3 elective	3 elective
Property Pricing and Residential Real Estate (22047)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Qualifying the Buyer (21173)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Real Estate Agency (21168)	Rebecca Brown, Vickie Grimes	3 law	. 3 agency
Real Estate and Taxes (22959)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Real Estate Finance (21174)	Rebecca Brown, Vickie Grimes	3 elective	3 finance
Red Flags—Property Inspection Guide (22053)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Risk Management (22444)	Rebecca Brown, Vickie Grimes	2 elective	2 risk management
Starting a Successful Brokerage (21164)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Sustainable Housing and Building Green (21171)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
The Truth About Mold (22055)	Rebecca Brown, Vickie Grimes	3 elective	3 elective
Title Insurance for Real Estate Professionals (21169)	Rebecca Brown, Vickie Grimes	3 elective	3 elective

3. 2020 Post-License Education Courses

Greater Louisville Association of Realtors

:Course Name-Course Number	· ·	Instructors	PLE Hours
FLEX Online (22920)	Tyle	r Hill, Jerry Legrand	3 technology and data security
Learning the FLEX MLS System		r Hill, Jerry Legrand	3 technology and data security
Transaction Desk (22324)	Tyle	r Hill, Jerry Legrand	3 technology and data security

4. 2020 Instructors

- a. Steve Bagby
- b. Allen Balderson
- c. Colleen Balderson
- d. Allison Bartholomew
- e. Matt Bearden
- f. Harry Borders
- g. Rebecca Brown
- h. Joseph Daly
- i. Greg Epley
- j. Jennifer Fields
- k. Kelly Gannott
- 1. Craig Grant
- m. Vickie Grimes
- n. Lee Harris Donahue
- o. Elayne Havens
- p. Josh Hay
- q. Cora Henderson
- r. Steve Henry
- s. Tyler Hill
- t. Laurent Houekpon
- u. Kelly Human
- v. Melissa Johnson
- w. Mike Kemp
- x. Jerry Legrand
- y. Kathy McGann-Pfeffer
- z. Doug Myers
- aa. Steven Parrish
- bb. Jeff Ratanapool
- cc. Thomas Sims Jr.
- dd. Dennis Stilger
- ee. Jamie Swindler
- ff. William Troutman

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gg. Misty Vantrease

hh. Jason Vaughn

ii. Brady Webb

jj. Todd Willett

1. PŠI Testing Statistics

December 2019 (First Time)

Type of Exam	Passed	% .	Failed	% Failed	Total
		Passed			Exams
License Recognition- Broker	2	33.33	4	66.67	6
License Recognition- Salesperson	9	52.94	8	47.06	17
Broker- National	11 .	64.71	6	35.29	17
Broker- State	9	52.94	8	47.06	17
Salesperson- National	62 .	72.94	23	27.06	85
Salesperson-State	55	64.71	30	35.29	-85
TOTAL	148	65.20	79	34.80	227

December 2019 (Cumulative)

Type of Exam	Passed	%	Failed	% Failed	Total
		Passed			Exams
License Recognition- Broker	4	44.44	5	55.56	9
License Recognition- Salesperson	13	61.90	. 8	38.10	21
Broker- National	17	32.96	10	37.04	, 27
Broker- State	14	56.00	11	44.00	25
Salesperson- National	84	62.69	50	37.31	134
Salesperson- State	92	60.93	59	39.07	151
TOTAL	224	61.04	143	38.96	367

2019 (First Time)

Type of Exam	Passed	%	Failed	% Failed	Total
		Passed		45	Exams
License Recognition-	40	53.33	35	46.67	75
Broker					
License Recognition-	161	61.22	102	38.78	263
Salesperson					
Broker- National.	· 71	. 63.39	41	36.61	112
Broker- State	69	61.06	44	38.94	113
Salesperson- National	971	68.91	438	31.09	1,409
Salesperson- State	773	54.78	638	45.22	1,411
TOTAL	2,085	61.63	1,298	38.37	3,383

2019 (Cumulative)

Type-of-Exam	Passed	%	Failed	% Failed	Total
		Passed]	Exams
License Recognition- Broker	57.	54.81	. 47	45.19	104
License Recognition- Salesperson	238	65.38	126	34.62	364
Broker- National	104	59.09	. 72	40.91	176
Broker- State	105	61.05	. 67	38.95	172
Salesperson-National	1,252	57.51	925	42.49	2,177
Salesperson-State	1,270	53.43	1,107	46.57	2,377
TOTAL	3,026	56.35	2,344	43.65	5,370

2. Licensing Statistics

As of January 9, 2020

Type	Active	Inactive	TOTAL
Sales Associate	11,063	6,535	17,598
Broker	4,025	913	4,938
TOTAL	15,088	7,448	22,536

New Licenses Issued in 2019 (by month)

Month	Sales Associate	Broker	Total
January	92	11	103
February	118	12 .	130
March	13.7-	22	159
April	144	14	158
May	161	18	179
June	117	9 .	126
July	136	12	148
August	127	4	131 -
September	106	6	112 ·
October	127	7	134
November	100	13	113
December	91	21	112
TOTAL	1,456	149	1,605

AGENCY CONSENT AGREEMENT -- SELLER

The real estate agent who is providing you with this form is required to do so by Kentucky law. The purpose of this form is to confirm that you have been advised of the role of the agent(s) in the transaction proposed below. (For purposes of this form, the term "seller" includes a landlord.)

Seller	(s):
	ty Address:
	I. TRANSACTION INVOLVING TWO AGENTS IN TWO DIFFERENT BROKERAGES
The Se	eller is represented by
	NAME OF BROKERAGE AND PRINCIPAL BROKER'S NAME
	II. TRANSACTION INVOLVING TWO AGENTS IN THE SAME BROKERAGE
	(Mark the appropriate box)
	agents in the same real estate brokerage represent both the Buyer and the Seller, check the following nship that will apply:
Design	nated Agency:
	Agent(s) of represents the Seller and another Agent(s) in the same firm represents the Buyer. The principal broker and managers will be "dual agents," which is explained in the Commission's Guide to Agency Relationships. As dual agents, they will remain loyal to both parties in the transaction, and they will protect all parties' confidential information; OR
Dual A	Agency:
	Every agent in the brokerage represents every "client" of the brokerage. Therefore, Agent(s) and will be working for both the Buyer and Seller as "dual agents". Dual agency is explained in the
	Commission's Guide to Agency Relationships. As a dual agent, they will remain loyal to both parties in the transaction, and they will protect all parties' confidential information. To the best of the Agent's knowledge, neither the agent(s) nor the principal broker acting as a dual agent in this transaction has a PERSONAL , FAMILY , or BUSINESS relationship with either the Buyer or Seller. If such a relationship does exist, please explain:
	III. TRANSACTION INVOLVING ONLY ONE REAL ESTATE AGENT
	(Mark the appropriate box.)
Agent	
	be a "dual agent" representing both parties in this transaction. Dual agency is explained in the Commission's Guide to Agency Relationships. As a dual agent they will remain loyal to both parties, and they will protect all parties' confidential information. To the best of the agent's knowledge, neither the agent(s) nor the brokerage acting as a dual agent in this transaction has a PERSONAL, FAMILY, or BUSINESS relationship with either the Buyer or Seller. <i>If such a relationship does exist, please explain:</i>
	OR
	represent only the (check one) \square Seller or \square Buyer \square neither in this transaction as a client. The other party(ies) is not represented and agrees to represent his/her own best interest. Any information provide the agent may be disclosed to the agent's client.

IV. TRANSACTION INVOLVING NON-CLIENT PARTIES

(Mark the appropriate box.)

☐ Transactional Brokerage: The Princ Transactional Agent):	cipal Broker of the Company assign	s (Identify all Licensees acting as a
duties of good faith and fair dealing	, and to not relay confidential inf	te transaction, owe the Party(ies) only the formation between the Parties, unless so rty to a Transactional Brokerage is not a
Unrepresented Party: The Principa for a Party.	l Broker of the Company, and all at	filiated licensees, do not act as an agent
The Buyer; Seller; Lessor; the duties of good faith and fair dealin Client or Prospective Client.	<u> </u>	A licensee owes an Unrepresented Party ent, an Unrepresented Party is not a
	ity to protect their own interests. The adequately express their understandal estate matters. IF LEGAL OR T.	
	PARTY CONSENT	
I (we) consent to the above relations or designated agency in this transact Commission's Guide to Agency Rel	tion, I (we) acknowledge reading	te transaction. If there is a dual agency the information contained in the
SELLER/LANDLORD'S Signature	Printed Name	DATE/TIME
SELLER/LANDLORD'S Signature	Printed Name	DATE/TIME
SELLER/LANDLORD'S Signature	Printed Name	DATE/TIME

KREC Form 401S Effective 10/19

KENTUCKY REAL ESTATE COMMISSION

Public Protection Cabinet Mayo-Underwood Building 500 Mero Street 2NE09 Frankfort, Kentucky 40601 (502) 564-7760

SELLER'S DISCLOSURE OF PROPERTY CONDITION

This form applies to residential real estate sales and purchases. This form is not requ	i red for:	•			
1. Residential purchases of new construction homes if a warranty is provided;					
2. Sales of real estate at auction; or					
3. A court supervised foreclosure As a Seller, you are asked to disclose what you know about the property you are selling	. Volúzanci	warê to tha a	.oction	e in thic	form
must be based on the best of your knowledge of the property you are selling, however	•	•			
Please take your time to answer these questions accurately and completely.	and when	icvei you gaii	icu ma	KIIOWI	cugc.
Property Address					
, Toparty Marcos		•			
City	tate	Zip		•	
PURPOSE OF DISCLOSURE FORM: Completion of this form shall satisfy the requirement disclosure of conditions" relevant to the listed property. This disclosure is based o					
condition and the improvements thereon, however that knowledge was gained. This					
the Seller or real estate agent and shall not be used as a substitute for an inspection		*			
obtain. This form is a statement of the conditions and other information about the pro					
advised, the Seller does not possess any expertise in construction, architecture, engine					
the construction or condition of the property or the improvements on it. Unless othe					
any inspection of generally inaccessible areas such as the foundation or roof. The Bu professional inspections of this property.	iyer is enco	ouraged to o	otain ni	s or nei	rown
INSTRUCTIONS TO THE SELLER(S): (1) Answer every question truthfully. (2) Report a	ll known d	onditions aff	eċting t	he pro	perty,
regardless of how you know about them or when you learned. (3) Attach additional i					
the date and time of signing. (4) Complete this form yourself or sign the authorization	àt the end	of this form	to autho	orize th	e real
estate agent to complete this form on your behalf in accordance with KRS 324.360(9).					
mark "not applicable." (6) If you truthfully do not know the answer to a question, ma					
to closing that changes one or more of your answers to this form after you have com	pleted .and	submitted it	, immed	diately i	notify
your agent or any potential buyer of the change in writing.					
SELLER'S DISCLOSURE: As Seller(s), I / we disclose the following information regarding					
accurate to the best of my / our knowledge as of the date signed. Seller(s) authorize(
this statement to any person or entity in connection with actual or anticipated sale of	of the prop	erty or as ot	nerwise	provid	ed by
law. The following information is not the representation of the real estate agent.					
Answer all questions to the best of your knowledge. Attach ad	ditional	sheets as n	ecessa	ary.	
1. PRELIMINARY DISCLOSURES	** *		*ŶĔŜ	NO	UN- KNOWN
a. Have you ever lived in the house?		<u>. </u>			
b. List the date (month / year) you purchased the house.			·		
c. Do you own the property as (an) individual(s) or as representative(s) of a compa	ny?				
Explain:					
d. To the best of your knowledge, has the house been used as a rental?			- □		_
To the best of your knowledge, has this house ever been vacant (not lived-in) fo	r more tha				
three (3) consecutive months?		n. 🗆		.0	
three (3) consecutive months? To the best of your knowledge, has this house ever been used for anything othe residence?		· 🗆			
To the best of your knowledge, has this house ever been used for anything other				.0	
f. To the best of your knowledge, has this house ever been used for anything othe residence?				.0	
f. To the best of your knowledge, has this house ever been used for anything other residence? Explain:				. 🗆	
f. To the best of your knowledge, has this house ever been used for anything othe residence?				. 🗆	
f. To the best of your knowledge, has this house ever been used for anything other residence? Explain:				. 🗆	

. HOUSE SYSTEMS	*		# N	
Whether or not they have been corrected, state whether there have been problems affecting:	N/A	YES	* NO	บ ⊮ห ก ั
a. Plumbing				
b. Electrical system				Ī
c. Appliances				Ì
d. Ceiling and attic fans	- - -			1
e. Security system				1
f. Sump pump				1
		<u></u>		1
g. Chimneys, fireplaces, inserts , , , , , , , , , , , , , , , , , , ,				
i. Sprinker system				
j. Heating system age of system:				<u>'</u>]
k. Cooling/air conditioning system age of system:				
I. Water heater age of system:				[
lease explain any deficiencies noted in this Section:	··			
)				
		8., t *		
. BUILDING STRUCTURE	N/A	YES	NO	* KN
a. Whether or not they have been corrected, state whether there have been problems affecting:			<u>-</u>	
1) The foundation or slab				
2) The structure or exterior veneer				
3) The floors and walls				
4) The doors and windows				
b. 1) To the best of your knowledge, has the basement ever leaked?				
2) When was the last time the basement leaked?		,		1
3) Have you ever had any repairs done to the basement?				
4) If you have had basement leaks repaired, when was the repair done?				
5) If the basement presently leaks, how often does it leak? (e.g., every time it rains, only after an	extrem	ely hea	ıvy rair	1, ę
Explain:				ŀ
h. Have you experienced, or are you aware of, any water or drainage problems in the crawl space?				{
i. Are you aware of any damage to wood due to moisture or rot?	,			,
. Are you aware of any present or past wood infestation (e.g. termites, borers, carpenter ants,				
fúngi, etc.)?				
k. Are you aware of any damage due to wood infestation?				i
1) Has the house or any other improvement been treated for wood infestation?				1-
2) If yes, by whom?				
3) Is there a warranty?				
lease explain any deficiencies noted in this Section:	•			
		. ,		
y				
	N/A	*YÈS	NO,	
ROOF				K
A. ROOF * * * * * * * * * * * * * * * * * *	1 1			
a. How old is the roof covering? (write the age of the roof if known)				
a. How old is the roof covering? (write the age of the roof if known)b. Has the roof leaked at any time since you have owned or lived at the property?				
 a. How old is the roof covering? (write the age of the roof if known) b. Has the roof leaked at any time since you have owned or lived at the property? To the best of your knowledge, has the roof leaked at any time before you owned or lived at 				
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f. Have you ever had the roof replaced?				Г
If so, when?				
g. If the roof presently leaks, how often does it leak? (e.g., every time it rains, only after an extreme	ly heav	/ rain.	etc.)	
Explain:	iy neuv		<u> </u>	
Have you ever had roof repairs that involved placing shingles on the roof instead of replacing				
the entire roof covering? If so, when?				
·				
Please explain any deficiencies noted in this Section:				
<u> </u>				
·				
LAND DRAINAGE	∗Ň/A	YES	"NO	KNO
a. Whether or not they have been corrected, state whether there have been problems affecting:			•	
1) Soil stability				
2) Drainage, flooding, or grading				Ē
3) Erosion				
4) Outbuildings or unattached structures	一一			
Is the house located within a Special Flood Hazard Area (SFHA) mandating the purchase of flood				
b. insurance for federally backed mortgages?				
If so, what is the flood zone?				
	<u> </u>			
c. Is there a retention / detention basin, pond, lake, creek, spring, or water shed on or adjoining this property?				Τ
			_	
Please explain any deficiencies noted in this Section:				
S. BOÙNDAR(ES	, N/A	YËS.	∗ NÔ	KNO
a. Have you ever had a staked or pinned survey of the property performed?				[
b. Are you in possession of a copy of any survey of the property?				
c. Are the boundaries marked in any way?				[
Explain:				
d. Do you know the boundaries?				
Explain:	_			
e. Are there any encroachments or unrecorded easements relating to the property?				
Explain:				
V. WATER	√ N/A	«YES	NO	U
a. Source of water supply:	* *		<u>X</u>	KNO
b. Are you aware of below normal water supply or water pressure?				
c. Has your water ever been tested? If so, attach the results or explain.				L
Explain:		\	- NO	u
B. SEWER SYSTEM	∗N/A	YES _x	*NO	× KN
a. Property is serviced by:				
1. Category I: Public Municipal Treatment Facility		<u> </u>		[
			. 🗆	
2. Category II: Private Treatment Facility	 -			
Category II: Private Treatment Facility Category III: Subdivision Package Plant				-
	 -	_		L
3. Category III: Subdivision Package Plant				
Category III: Subdivision Package Plant Category IV: Single Home Aerobic Treatment System (HOME PACKAGE PLANT)	, , ,]
3. Category III: Subdivision Package Plant 4. Category IV: Single Home Aerobic Treatment System (HOME PACKAGE PLANT) 5. Category V: Septic Tank with drain field, lagoon, wetland, or other onsite dispersal 6. Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system	, , ,			[
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CONSTRUCTION / REMODELING	N/A	YES	NO.	UN- KNOV
Have there been any additions, structural modifications, or other alterations made?				
o. If so, were all necessary permits and government approvals obtained?				
Explain:				
D-HOMEOWNER'S ASSOCIATION (HOA)	Ň/A	ŸES	NO.	» KNO
a. 1) Is the property subject to rules or regulations of a HOA?				× KNO
2) If yes, what is the yearly assessment?				
3) HOA Name:			-	
HOA Primary Contact Name:				-
HOA Primary Contact Phone No.:				
o. Is the property a condominium?				
If yes, you must also complete KREC Form 404, the Condominium Seller's Certificate				
c. Are you aware of any condition that may result in an increase in taxes or assessments?				
Are any features of the property-shared in common with adjoining landowners, such as walls				
fences, driveways, etc.?				Ľ
e. Are there any pet or rental restrictions?				Ε
Explain:				
- CAPOUIT				
1. HAZARDOUS CONDITIONS	N/A	* YES	NO	KNO
Are you aware of any underground storage tanks, old septic tanks, field lines, cisterns, or				
a. abandoned wells on the property?		. "П		
Are you aware of any other environmental hazards? (e.g., carbon monoxide, hazardous waste,				<u> </u>
water contamination, asbestos, the use of urea formaldehyde, etc.)				
uch property may present exposure to lead from lead based paint, which may cause certain health ri	SKS.	7	34 S K	
			× * *	· *
c. Was this house built before 1978?				
c. Was this house built before 1978? d. Are you aware of the existence of lead-based paint in or on this house?				
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ROPERTY ADDRESS:							
Explain		10.000000000000000000000000000000000000					
e. Has this house ever been damaged be	by fire or other dis	actor?		Δ,			
Explain!	by fire of other dis-	asterr					<u> </u>
f. Are you aware of the existence of m	old or other fundi	"on the property?		$\overline{}$	-		<u>-</u>
g. Has this house ever had pets living in		of the property:					
Explain:	11 10:				L-J		
h. Is this house in a historic district or li	isted on any regist	ry of historic places?					
13 - ADDITIONAL INFORMATION	isted on any regist	y or mistoric places:			YES		UN
Do you know anything else about the prop	perty that that sho	ould be disclosed to the Buye	er? =			П	KNO
f yes, please provide details in the space	<u> </u>					-	
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☐ As Seller(s) I / we hereby certify	that the informat						
knowledge and belief. I/ we agree to im to closing.	that the informat mediately notify I	ion disclosed above is comp Buyer in writing of any char			vn to n	ne / us	
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