

MLS & Rules Committee

MEETING MINUTES

April 20, 2018: 9:00am

Chairperson Tanya Kulaga called the meeting to order, and the previous meeting minutes were reviewed by the committee. After review, **it was moved and seconded to approve the April 6, 2018 meeting minutes as proposed. Motion Passed.**

First on the agenda was an update to the Committee regarding the last meeting's recommendations to the Board of Directors regarding Permission Levels on Statistical Reporting, and implementation of Team Functionality in Paragon. The Committee was notified that the Board of Directors is seeking input on these items from Brokers. A Broker meeting is being planned to review this, and Committee Members are encouraged to attend.

Next, the Committee considered a member request to add language to the Sales Contract for Electronic Transmission and Cyber Fraud. The Committee discussed that language for an Electronic Transmission already exists in Paragraph #37. Committee members pointed out that there is already disclosure of Cyber Fraud being handled by various companies in various ways. After discussion, **it was moved and seconded to add the proposed language for Cyber Protection to the bottom of Paragraph #37 in the Sales Contract. Motion Passed.**

Next, the Committee discussed the need to have more specific language in the Sales Contract with regard to the Closing Fee. The Committee discussed that a definition for a "Closing Fee" does not exist, and when a closing occurs between parties that aren't aware of the customary handling of this, a dispute can arise. After considerable discussion, **it was moved and seconded to add verbiage to the Sales Contract boiler plate that the LBOR Attorney would recommend pursuant to a "Closing Fee" in which case a Buyer will pay, and to add the verbiage to paragraph #4 where the "closing" is defined. Motion Passed.**

Next, the Committee continued to discuss the Closing Fees that are paid as they relate to a Split Closing. This topic created a lot of discussion about how and why split closings occur, and that there are reasons to dislike and like split closings. After discussion, **it was moved and seconded to add language to the Sales Contract if the Buyer is going to use another title company to close. Motion Passed.** (The Committee also discussed that it would be important to ask title companies about this contract change)

Next, the Committee discussed recent changes to the KREC's new Agency Relationships Brochure. In the past the LBOR has inserted the Agency language verbatim into the Sales Contract. The current language being used in the contract has one word (an "or" that should be changed to an "and") that the KREC would like to see changed. They have not imposed a time frame with the LBOR, other than to say "the next time we revise the contract." After discussion, **it was moved and seconded to insert the new Agency Relationship disclosure language into the sales contract verbatim. Motion Passed.**

Upon reaching the end of the allotted time, the Committee set the next meeting date/time as Friday, May 4th at 10am. The meeting was then adjourned at 10:30am.

Respectfully submitted,



Rob Hulse
Executive Officer

MLS & RULES

Tanya Kulaga, Chairperson

Erin Morgan, Vice-Chairperson

Bev Hill

Cheri Drake

Cheryl Puentes

Chris Earl

Diane Kennedy

Dottie Hissong

Drew Deck

Linda Trotter

Lindsay Landis

Jake Forbes

John Green

Mary Jones

Nicholas Lerner

Shelly Doris

HRE

McGrew

KWI

McGrew

McGrew

Stephens

McGrew

Stephens

RN Pref

McGrew

HRE

HRE

CB G&B

McGrew

McGrew

Stephens