

324.151 Complaints -- Answers.

- (1) All complaints against licensees shall be submitted to the commission on forms furnished by the commission. The complaint shall state facts which, if true, would constitute a prima facie case that the licensee has violated the provisions of KRS 324.160. If the complaint does not constitute a prima facie case, the commission shall allow the complainant ten (10) days to revise and supplement the complaint in order to cure any defect. If the complainant fails to respond within ten (10) days or if the revised and supplemented complaint does not constitute a prima facie case that the licensee has violated the provisions of KRS 324.160, the commission shall dismiss the matter without requiring the licensee to file or serve a response.
- (2) If the complaint constitutes a prima facie case that a licensee has violated the provisions of KRS 324.160, a copy of the complaint, exhibits attached thereto, and any subsequent pleadings, shall be served on the licensee, by the commission, at the licensee's last known address and shall show certification that there has been service by writing to the last known address.
- (3) If the commission serves the complaint upon the licensee, the licensee shall file with the commission an answer to the complaint, properly notarized, on forms secured from commission offices. The answer shall be returned to the commission within twenty (20) days. The licensee shall deliver to the complainant at his or her last known address a copy of the answer, exhibits attached thereto, and any subsequent pleadings. All further pleadings in the matter filed with the commission by either party shall show that a copy has been furnished to the opposing party or parties.
- (4) If any licensee is alleged to have committed an escrow account violation that warrants emergency action, the commission may conduct an emergency hearing as authorized by KRS 324.150(1)(b).

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 58, sec. 6, effective June 25, 2009. -- Amended 2000 Ky. Acts ch. 488, sec. 16, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 318, sec. 289, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 448, sec. 16, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 352, sec. 6, effective July 13, 1984. -- Created 1982 Ky. Acts ch. 196, sec. 5, effective July 15, 1982.