324.170 Hearing to precede any disciplinary action -- Notice -- Conduct of hearing.

(1) The commission shall, before denying an application for license or before ordering any disciplinary action against a licensee, order a hearing. The hearing shall be conducted in accordance with the provisions of KRS Chapter 13B. If the applicant or licensee is a sales associate, the commission shall also notify the principal broker of the hearing by mailing notice by certified mail, return receipt requested, to the broker's last known business address. The commission shall order the presence of the principal broker or his or her designated representative at the hearing.

(2) All hearings shall be conducted by a quorum of the commission or by a hearing officer appointed by the commission. Hearing officers shall not order any disciplinary action against a licensee. The function of hearing officers appointed to conduct hearings shall be to preside at the hearing and to prepare a recommended order to be submitted to the commission.

(3) 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
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> **History:** Amended 2009 Ky. Acts ch. 58, sec. 9, effective June 25, 2009. -- Amended 2000 Ky. Acts ch. 488, sec. 18, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 318, sec. 290, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 448, sec. 18, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 352, sec. 8, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 196, sec. 21, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 114, sec. 84, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 172, sec. 6, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 100, sec. 18. -- Amended 1974 Ky. Acts ch. 315, sec. 63. -- Amended 1942 Ky. Acts ch. 184, secs. 4 and 12. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3990e-7.