

324A.052 Investigation of complaints -- Sanctions -- Hearing -- Final order -- Appeal.

- (1) Any person or organization, including the board upon its own volition, may file with the board a written complaint alleging a violation of any provision of this chapter. Complaints shall be filed with the board within:
 - (a) Five (5) years after the date of transmittal of the appraisal report or appraisal review assignment; or
 - (b) Two (2) years after the final disposition of any judicial proceeding in which the appraiser provided testimony related to the assignment, whichever expires last.

Paragraphs (a) and (b) of this subsection shall not apply to complaints involving the actions outlined in KRS 324A.050(1)(c), (d), (g), and (k). The board shall investigate each complaint.

- (2) If the investigation reveals evidence supporting the complaint, the board shall set the matter for hearing in accordance with the provisions of KRS Chapter 13B before fining, reprimanding, suspending, revoking, refusing to renew, or any combination thereof.
- (3) If the investigation reveals that the alleged violation did occur but was not of a serious nature, the board may issue a written admonishment to the certificate holder or licensee. A copy of the admonishment shall be placed in the recipient's file with the board. The recipient shall have the right to file a response to the admonishment within thirty (30) days of its receipt and have the response placed in the file. The recipient may, alternatively, within thirty (30) days of the receipt, file a request for hearing with the board. Upon receipt of this request, the board shall set aside the written admonishment and set the matter for hearing in accordance with the provisions of KRS Chapter 13B.
- (4) After denying an application for a certificate or license or issuing an admonishment, the board shall grant an administrative hearing in accordance with KRS Chapter 13B only upon written request of the applicant made within thirty (30) days of the mailing of the letter of denial or admonishment.
- (5) Pursuant to KRS 13B.120(7), the executive director of the Kentucky Real Estate Authority within the Department of Professional Licensing shall hear and issue a final order regarding a decision of the board. An aggrieved party may appeal a final order of the executive director pursuant to KRS Chapter 13B within thirty (30) days after the issuance of the order to the Circuit Court of the county where the licensee has his or her principal place of business or where the license applicant resides.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 21, sec. 5, effective June 29, 2021. -- Amended 2017 Ky. Acts ch. 178, sec. 29, effective April 11, 2017. -- Amended 1998 Ky. Acts ch. 377, sec. 5, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 318, sec. 293, effective July 15, 1996.