

324B.045 Division of Real Property Boards -- Permissible functions -- Duties of director and secretary. (Effective until July 15, 2026)

- (1) (a) The Division of Real Property Boards is hereby created within the Department of Professional Licensing and shall include the:
 1. Kentucky Board of Home Inspectors, established under KRS 198B.704;
 2. Real Estate Appraisers Board, established under KRS 324A.015; and
 3. Board of Auctioneers, established under KRS 330.050.
 - (b) The Division of Real Property Boards shall be managed by a director, who shall be appointed by the secretary of the Public Protection Cabinet with prior written approval of the Governor. The director shall be exempted from the classified service.
 - (c) The Division of Real Property Boards may:
 1. Provide appropriate attorneys, personnel staffing, and administrative support to the real property boards identified in paragraph (a) of this subsection;
 2. Establish and maintain an office, meeting space, office supplies, furniture, storage space, and any other supplies that are necessary to carry out the duties of the Division of Real Property Boards and the real property boards identified in paragraph (a) of this subsection;
 3. Make available for public inspection all decisions, opinions, and interpretations formulated or used by the division and the real property boards identified in paragraph (a) of this subsection in discharging their functions;
 4. Publicize the functions and purposes of the Division of Real Property Boards and the real property boards identified in paragraph (a) of this subsection;
 5. Employ administrative coordinators who shall carry out the administrative functions and day-to-day operations of the real property boards identified in paragraph (a) of this subsection. The maximum number of administrative coordinators shall be one (1) for each real property board. These administrative coordinators shall be exempted from the classified service; and
 6. Enter into agreements with any state agency, political subdivision of the state, postsecondary education institution, or other person or entity to assist with implementation of the duties and responsibilities of the Division of Real Property Boards or, upon request, the real property boards identified in paragraph (a) of this subsection.
- (2) The director of the Division of Real Property Boards shall:
 - (a) Provide oversight of the Division of Real Property Boards;
 - (b) Review and provide feedback on any administrative regulation proposed by any of the boards within the Division of Real Property Boards prior to the promulgation of the administrative regulation;
 - (c) Review and provide feedback on the budgets and expenditures of the boards

within the Division of Real Property Boards;

- (d) Submit written recommendations to the secretary of the Public Protection Cabinet concerning sufficient staffing needs and relevant experience necessary to assist in carrying out the mission and function of the Division of Real Property Boards;
 - (e) Pursuant to KRS 13B.120(7), automatically hear and issue a final order regarding any decision of a real property board that would otherwise be subject to appeal. An aggrieved party may appeal a final order of the 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 party has his or her principal place of business or where the party resides;
 - (f) Make available for public inspection all decisions, opinions, and interpretations formulated or used by the director in discharging his or her functions;
 - (g) Carry out the applicable policy and program directives of the department;
 - (h) Prepare annual reports on the director's activities;
 - (i) Delegate any power to employees and contractors as needed;
 - (j) Have a minimum of seven (7) years of experience in the real estate industry within the last fifteen (15) years; and
 - (k) Perform all other duties assigned by law.
- (3) The secretary of the Public Protection Cabinet shall:
- (a) Consider the staffing recommendations and requests submitted by the director of the Division of Real Property Boards; and
 - (b) Provide the Division of Real Property Boards with documentation showing the income and expenditures of all license fees.

Effective: July 15, 2024

History: Created 2024 Ky. Acts ch. 182, sec. 1, effective July 15, 2024.