

**324.020 Activities unlawful without license -- Requirement of licensing -- Application of chapter to owner or builder-developer -- Prohibition against fee splitting -- Exceptions -- Supervision of sales associate -- Authority to seek injunctive relief.**

- (1) It shall be unlawful for any person who is not licensed as a real estate broker or sales associate to:
  - (a) Hold himself or herself out to the public as a real estate broker or sales associate or use any terms, titles, or abbreviations which express, infer, or imply that the person is licensed as a real estate broker or sales associate; or
  - (b) Advertise for sale an equitable interest in a contract for the purchase of real property between a property owner and a prospective purchaser.
- (2) No person shall practice real estate brokerage with respect to real estate located in this state unless:
  - (a) The person holds a license to practice real estate brokerage under this chapter; or
  - (b) The person has complied with KRS 324.235 to 324.238.
- (3) A licensee who is an owner or a builder-developer shall comply with the provisions of this chapter and the administrative regulations applying to real estate brokers and sales associates.
- (4) No broker shall split fees with or compensate any person who is not licensed to perform any of the acts regulated by this chapter, except that a broker may:
  - (a) Pay a referral fee to a broker licensed outside of Kentucky for referring a client to the Kentucky broker;
  - (b) Pay a commission or other compensation to a broker licensed outside of Kentucky in compliance with KRS 324.235 to 324.238; or
  - (c) Pay a licensed auctioneer for services rendered in cases where an auctioneer and real estate broker collaborate in the conduct of a sale of real estate at auction.
- (5) Except as authorized in KRS 324.112(1) and 324.425, no sales associate shall supervise another licensed sales associate or manage a real estate brokerage office.
- (6) The Kentucky Real Estate Commission may seek and obtain injunctive relief against any individual acting in violation of this chapter by filing a civil action in the Circuit Court where the commission is located or where the unlawful activity took place.

**Effective:** June 29, 2023

**History:** Amended 2023 Ky. Acts ch. 84, sec. 2, effective June 29, 2023. -- Amended 2015 Ky. Acts ch. 14, sec. 2, effective June 24, 2015. -- Amended 2008 Ky. Acts ch. 156, sec. 5, effective July 15, 2008. -- Amended 2004 Ky. Acts ch. 45, sec. 1, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 488, sec. 4, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 313, sec. 3, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 448, sec. 3, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 352, sec. 2, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 196, sec. 10, effective July 15, 1982. -- Amended 1976 Ky. Acts ch. 100, sec. 8. -- Amended 1956 Ky. Acts ch. 18, sec. 1, effective July 1, 1956. -- Amended 1942 Ky.

Acts ch. 184, secs. 1 and 8. -- Recodified 1942 Ky. Acts ch. 208, secs. 1 and 8, effective October 1, 1942, from Ky. Stat. sec. 3990e-1.