

324.165 Prohibited business practices -- Penalties.

- (1) No person shall:
 - (a) Solicit or request a referral fee from a real estate licensee unless that person introduced the business to the real estate licensee from whom the referral fee is sought and a contractual referral fee relationship exists between the person and the real estate licensee; or
 - (b) Threaten to reduce or withhold employee relocation benefits or to take other action adverse to the interests of a client of a real estate licensee because of an agency relationship.
- (2) No real estate licensee, relocation firm, or firm with a corporate relocation policy or benefits, or anyone on behalf of any licensee or firm, shall counsel a client of another real estate licensee regarding the manner in which the client may terminate or amend an existing listing contract, buyer agency agreement, or other agency relationship. Communicating corporate relocation policy or benefits to a transferring employee shall not be considered a violation of this section, as long as the communication does not involve advice or encouragement regarding the manner in which the client may terminate or amend an existing agency relationship.
- (3) Violation of this section by a broker or sales associate shall be considered improper conduct as referred to in KRS 324.160(4)(u). Violation of this section by unlicensed persons shall be subject to the penalties in KRS 324.990.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 58, sec. 8, effective June 25, 2009. -- Created 2000 Ky. Acts ch. 488, sec. 2, effective July 14, 2000.