Rules of
Department of Economic
Development
Division 250—Missouri Real Estate Commission
Chapter 9—Disciplinary Proceedings

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 CSR 250-9.010 Complaints</td>
<td>3</td>
</tr>
<tr>
<td>4 CSR 250-9.020 Investigation</td>
<td>6</td>
</tr>
<tr>
<td>4 CSR 250-9.030 Dismissal of Complaint</td>
<td>6</td>
</tr>
<tr>
<td>4 CSR 250-9.040 Violations</td>
<td>6</td>
</tr>
<tr>
<td>4 CSR 250-9.050 Action by the Commission</td>
<td>6</td>
</tr>
</tbody>
</table>
PURPOSE: This rule requires that a complaint against a licensee be in writing on forms provided by the commission. The commission may initiate a complaint on its own motion.

(1) A complaint against a licensee shall be in writing setting forth in clear and concise language the alleged violation, on forms provided by the commission, sworn to by the person making the complaint and submitted to the commission. Upon its own motion, the commission may initiate a complaint against a licensee.

(2) Each complaint received under this rule will be logged and maintained by the commission. The log will contain a record of each complainant’s name and address (if given), the name and address of the subject(s) of the complaint, the date each complaint is received by the commission, a notation whether the complaint resulted in its dismissal by the commission or in formal charges being filed with the Administrative Hearing Commission, and the final disposition of the complaint. The log shall be a closed record of the commission.

(3) Each complaint received under this rule shall be acknowledged in writing to the complainant (if known). The complainant (if known) shall be notified of the final disposition of the complaint.

(4) This rule shall not be deemed to limit the commission’s authority to file a complaint with the Administrative Hearing Commission charging a licensee with any actionable conduct or violation, whether any complaint exceeds the scope of the acts charged in a preliminary complaint filed with the commission and whether any complaint has been filed with the commission.

(5) The commission interprets this rule to exist for the benefit of those members of the public who submit complaints to the commission. This rule is not deemed to protect or benefit those licensees, or other persons against whom the commission has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of Chapter 339, RSMo.
Sworn Statement of Complaint For Filing
With The Missouri Real Estate Commission

1. TYPE or PRINT complaint clearly. If hand printed, please use BLACK INK.
2. Give full name and complete address of the person and/or company complained against.
3. State facts briefly and clearly, and specify the violations of the Real Estate License Law and Rules and Regulations, if known.
4. Furnish full names and complete addresses of all witnesses.
5. This form MUST be NOTARIZED. (See reverse side.)
6. Mail ORIGINAL Complaint, with one additional copy to the Missouri Real Estate Commission.
7. DO NOT highlight documents with colored markers, as the highlighted area turns black when photocopied.
8. Are you licensed to sell real estate in the state of Missouri?  Yes ☐  No ☐
9. Return to the Missouri Real Estate Commission, P.O. Box 1339, Jefferson City, MO 65102

NAME OF COMPLAINANT   HOME PHONE NUMBER   OFFICE PHONE NUMBER

ADDRESS   CITY   STATE   ZIP CODE

SUBJECT OF COMPLAINT

PERSON AND/OR COMPANY   ADDRESS   CITY, STATE AND ZIP CODE   TELEPHONE NUMBER

PERSON AND/OR COMPANY   ADDRESS   CITY, STATE AND ZIP CODE   TELEPHONE NUMBER

PERSON AND/OR COMPANY   ADDRESS   CITY, STATE AND ZIP CODE   TELEPHONE NUMBER

STATE OF MISSOURI,

COUNTY.

(NAME OF COMPLAINANT), being first duly sworn deposes and says that

(WRITE A BRIEF STATEMENT OF THE TRANSACTION SETTING FORTH THE MISREPRESENTATION MADE OR THE FRAUDULENT OR DISHONEST ACT COMPLAINED OF.)

NOTICE: IT IS IMPORTANT THAT YOU CAN GIVE THE FULL NAME AND ADDRESS OF ANY AND ALL INDIVIDUALS OR COMPANIES MENTIONED IN THIS COMPLAINT.

MO 419-1107 (8-91)
4 CSR 250-9.020 Investigation

PURPOSE: This rule proclaims the commission’s procedure regarding investigations of a complaint.

(1) Upon receipt of a complaint in proper form, the commission shall investigate the actions of the licensee against whom the complaint is made. In conducting an investigation, the commission, in its discretion, may request the licensee under investigation to answer the charges in writing and to produce relevant documentary evidence and may request the licensee to appear before it. A copy of any written answer of the licensee shall be furnished to the complainant.


4 CSR 250-9.030 Dismissal of Complaint

PURPOSE: This rule advises all of dispositions of a complaint or the withdrawal of one.

(1) If an investigation discloses that a complaint does not involve a violation of the license law or these rules of the commission, the complaint will be dismissed by the commission and the parties involved will be so advised.

(2) Withdrawal of a valid, legitimate complaint against a licensee as the result of restitution of money or property to the complainant, or other corrective action by the licensee, shall not be grounds for dismissal of a complaint by the commission except at its discretion.


4 CSR 250-9.040 Violations

PURPOSE: This rule provides for the commission’s decision to refer licensees’ acts to the Administrative Hearing Commission.
