

58-30a17. Who may demand the entering of satisfaction or release of lien. (a) The following persons may make demand upon a broker for the entering of satisfaction or release of the lien, as provided for in K.S.A. 58-30a12 and 58-30a16, and amendments thereto:

- (1) An owner or the owner's heirs or assigns or anyone acting for such owner, heirs or assigns;
- (2) an owner of real estate upon which a lien has been recorded by someone having no legitimate claim in the real estate; or
- (3) a lender or designated closing agent acting as a closing agent in the sale, financing or refinancing of the real estate subject to such lien.

(b) Any broker or assignee of a broker who refuses or neglects to enter satisfaction or release of such lien within 20 days after demand has been made as provided in subsection (a) shall be liable to the person for whom the demand was made in the sum of \$500 as a civil penalty, together with a reasonable attorney's fee for preparing and prosecuting the action. The plaintiff in such action may recover any additional damages that the evidence in the case warrants. Civil actions may be brought under this section before any court of competent jurisdiction, and attachments may be had as in other cases.

History: L. 2005, ch. 179, § 17; July 1.