

**MAINE BOARD OF REAL ESTATE APPRAISERS  
BOARD MEETING  
September 1, 2015  
MINUTES**

---

**MEMBERS PRESENT**

Theodore Webersinn, Chair  
Alan Johnson, Vice Chair  
Joseph Herlihy, Complaint Officer  
Bruce Bell  
WendyAnn Boston  
Kenneth Charest

**STAFF PRESENT**

Karen Bivins, Administrator  
Kim Baker, Office Specialist I  
Andrew Black, Assistant Attorney General  
Deborah Fales, Office Specialist I  
Cathy Pendergast, Education Coordinator

**MEMBERS ABSENT**

None

**Location:** Central Conference Room

**Start:** 9:03 a.m.

**Adjourn:** 11:10 a.m.

**CALL TO ORDER**

The meeting was called to order at 9:03 a.m. by the Board's Chair, Theodore Webersinn.

**AGENDA MODIFICATIONS**

*A motion was made by Charest and seconded by Bell to add a discussion of the email from the Andrew Martin. Unanimous.*

*A motion was made by Boston and seconded by Bell to add a discussion of the draft letter of staff appreciation. Unanimous.*

**OLD BUSINESS**

**Action on Minutes of June 5, 2015 Meeting**

*A motion was made by Charest to approve the minutes of the June 5, 2015 meeting; seconded by Boston. Unanimous.*

**NEW BUSINESS**

**Complaint Officer's Report**

**2014-REA-10731**

*A motion was made by Charest and seconded by Johnson to bring to a hearing pursuant to 10 MRS 8003(5-A)(A)(5) and 10 MRS 8003(5-A)(A)(6). Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

*A motion was made by Charest and seconded by Boston to offer a consent agreement to include a 90 day suspension of the license for each violation; a \$1500 fine per violation; and a reprimand for each violation. Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

**2015-REA-10830**

*A motion was made by Charest and seconded by Boston to dismiss the complaint with a letter of guidance to include more narrative in reports. Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

**2015-REA-10881**

*A motion was made by Johnson and seconded by Boston to dismiss the complaint. Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

**2015-REA-10907**

*A motion was made by Boston and seconded by Bell to dismiss the complaint. Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

**2015-REA-10956**

*A motion was made by Boston and seconded by Johnson to dismiss the complaint. Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

**2015-REA-11010**

*A motion was made by Johnson and seconded by Bell to dismiss the complaint with a letter of guidance that the licensee be more diligent in development and presentation of reports. The letter of guidance is to remain in licensee's file for ten years. Bell, Boston, Charest, Johnson voted in the affirmative. Webersinn opposed. Herlihy abstained. Motion carried.*

**2015-REA-11011**

*A motion was made by Johnson and seconded by Boston to dismiss the complaint. Bell, Boston, Charest, Johnson, and Webersinn voted in the affirmative. Herlihy abstained. Motion carried.*

**2015-REA-11208**

Boston recused and left the room.

*A motion was made by Charest and seconded by Johnson to dismiss the complaint. Bell, Charest, Johnson, and Webersinn voted in the affirmative. Boston recused. Herlihy abstained. Motion carried.*

*Boston returned to the room.*

**Administrator's Report****ASC Compliance Review**

The administrator reviewed both the preliminary and final audit reports from the Appraisal Subcommittee (ASC) with Board members. A notice has been put up on the web site regarding the ASC's concerns about CE audit violations.

**AQB Concept Paper**

This item was tabled to the next meeting.

**Review and Action on Applications and Education**

The Board reviewed the report of applications processed since the last meeting.

A motion was made by Charest and seconded by Johnson to deny the application from Brendan Hall for upgrade to certified general real property appraiser. Unanimous.

**OTHER BUSINESS****Letter to Governor and Commissioner**

A motion was made by Boston and seconded by Charest to send a letter in praise of Board staff as drafted by Boston. Unanimous.

**Email from Andrew Martin**

The Board reviewed the email from Andrew Martin dated 08/26/2015 and asked staff to invite Mr. Martin to the next meeting.

**Coester VMS. Com, Inc. v. Virginia Real Estate Appraiser Board**

The Board was provided the court case information noted above for informational purposes regarding restraint of trade and regulation of an appraisal management company (AMC).

**Meeting Schedule**

The next meeting is scheduled for October 6, 2015.

**ADJOURN**

Being no further board business the meeting was adjourned at 11:10 a. m.

Respectfully submitted,  
Kim Baker, Board Clerk