

MAINE BOARD OF REAL ESTATE APPRAISERS
BOARD MEETING
December 01, 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
Andrew Black, Assistant Attorney General
Kim Baker, Office Specialist I
Cathy Pendergast, Education Coordinator
Debbie Fales, Office Specialist I

MEMBERS ABSENT

None

Location: Central Conference Room

Start: 9:01 a.m.

Adjourn: 10:37 a.m.

CALL TO ORDER

The meeting was called to order at 9:01 a.m. by the Board's Chair, Theodore Webersinn.

AGENDA MODIFICATIONS

A motion was made by Boston and seconded by Bell to add the letter of guidance in case number 2015-REA-11464 to the Complaint Officer's Report. Unanimous

OLD BUSINESS

Action on Minutes of November 03, 2015 Meeting

A motion was made by Johnson to approve the minutes of the November 03, 2015 meeting; seconded by Bell. Boston and Charest abstained; Bell, Herlihy, Johnson and Webersinn voted in the affirmative. Motion carried.

Administrator's Report

2016 USPAP Rulemaking

A motion was made by Boston and seconded by Johnson to adopt the rule to amend Board Rule Chapter 240 to designate the 2016 – 2017 edition of the Uniform Standards of Professional Appraisal Practices (USPAP). Unanimous.

A motion was made by Boston and seconded by Johnson to adopt the Basis Statement and Response to Comments as presented. Unanimous.

Disciplinary Disclosure - Pomykacz

A motion was made by Boston and seconded by Bell to issue the license. The motion was modified to include quarterly reporting by the licensee for two years of appraisals completed in Maine. Unanimous.

A motion was made by Boston and seconded by Bell to reconsider the motion above. Unanimous.

A motion was made by Boston and seconded by Bell to preliminarily deny the license application and offer a consent agreement. The consent agreement to include a two year probationary period in which the licensee is required to submit quarterly reports specifying any appraisal work completed in Maine. Unanimous

NEW BUSINESS

Complaint Officer's Report

2015-REA-11464

A motion was made by Johnson and seconded by Bell to accept the Letter of Guidance as presented in case number 2015-REA-11464. Herlihy, Boston and Charest abstained; Bell, Johnson and Webersinn voted in the affirmative. Motion carried.

2015-REA-11105, 2015-REA-11245 and 2015-REA-11417

Boston recused and left the room.

A motion was made by Bell and seconded by Charest to bring the matter to a hearing. Boston recused; Herlihy abstained; Bell, Charest, Johnson and Webersinn voted in the affirmative. Motion carried.

Boston returned to the room.

2015-REA-11396 and 2015-REA-11622

A motion was made by Johnson and seconded by Charest to table the complaint for further investigation. Herlihy abstained; Bell, Boston, Charest, Johnson and Webersinn voted in the affirmative. Motion carried.

2015-REA-11442

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

2015-REA-11552

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

2015-REA-11574

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

Review and Action on Applications and Education

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

OTHER BUSINESS

The Board reviewed the 2016 meeting schedule.

A motion was made by Boston and seconded by Charest to cancel the meeting is scheduled for January 05, 2016.

The next meeting will be February 02, 2016.

ADJOURN

Being no further board business the meeting was adjourned at 10:37 a. m.

Respectfully submitted,
Kim Baker, Board Clerk