

MAINE BOARD OF REAL ESTATE APPRAISERS
BOARD MEETING
March 1, 2016
MINUTES

MEMBERS PRESENT

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

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

Kenneth Charest

Location: Central Conference Room

Start: 9:07 a.m.

Adjourn: 10:34 a.m.

CALL TO ORDER

The meeting was called to order at 9:07 a.m. by the Board's Chair, Theodore Webersinn.

AGENDA MODIFICATIONS

A motion was made by Boston and seconded by Bell to add the following items to the agenda:

- 1. Review of the Karageorge/Dyer Decision and Order;*
- 2. Review of sample Appraisal Management Company(AMC)legislation.*

Unanimous.

OLD BUSINESS

Action on Minutes of February 02, 2016 Meeting

A motion was made by Boston to approve the minutes of the February 02, 2016 meeting; seconded by Johnson. Unanimous.

Review of Decision and Order 2015-REA-11105, 2015-REA-11245 and 2015-REA-11417

Motion was made by Johnson and seconded by Bell to approve the Decision and Order regarding case numbers 2015-REA-11105, 2015-REA-11245 and 2015-REA-11417. Boston and Herlihy abstained; Bell, Johnson and Webersinn voted in the affirmative. Motion carried.

The Board discussed the request to stay from Michael Duddy, Esq. regarding the suspension in the Decision and Order above and made the following motion:

A motion was made by Johnson and seconded by Bell to deny the request to stay the suspension in the Decision and Order in case numbers 2015-REA-11105, 2015-REA-11245 and 2015-REA-11417. Boston and Herlihy abstained; Bell, Johnson and Webersinn voted in the affirmative. Motion carried.

Administrator's Report

The Board reviewed sample appraisal management company (AMC) legislation from other New England states and directed the administrator to draft language for review at the next meeting in preparation for the next legislative session.

NEW BUSINESS

Complaint Officer's Report

A motion was made by Boston and seconded by Bell to dismiss the complaint in case number 2015-REA-11390. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Boston and seconded by Johnson to dismiss with a letter of guidance regarding the complexity of waterfront appraisals to both appraisers in case numbers 2015-REA-11396 and 2015-REA-11622. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Boston to dismiss the complaint in case number 2015-REA-11736. The motion failed for lack of a second.

A motion was made by Johnson and seconded by Bell to dismiss with a letter of guidance regarding the selection of comparables in case number 2015-REA-11736. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Boston and seconded by Johnson to table the matter in case number 2015-REA-11761 to the next meeting. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Boston and seconded by Johnson to grant a temporary license as requested by the licensee in case number 2015-REA-1176. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Johnson and seconded by Boston to dismiss the complaint in case number 2015-REA-11764. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Johnson and seconded by Boston to dismiss with a letter of guidance regarding the use of proper unit comparison and conformity to the letter of engagement in case number 2015-REA-11789. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Johnson and seconded by Boston to dismiss the complaint in case number 2015-REA-11795. Herlihy abstained; Bell, Boston, Johnson and Webersinn voted in the affirmative. Motion carried.

A motion was made by Boston and seconded by Johnson to dismiss the complaint in case number 2015-REA-11816 and refer the matter to the Attorney General's Office pursuant to unlicensed practice. Herlihy abstained; Bell, Boston, 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 next meeting is scheduled for April 05, 2016.

ADJOURN

Being no further board business the meeting was adjourned at 10:34 a.m.

Respectfully submitted,
Kim Baker, Board Clerk