

# Minutes of the Maine Real Estate Commission

June 16, 2016

<b><u>MEMBERS PRESENT</u></b>	<b><u>STAFF PRESENT</u></b>
Donald Plourde, Chair	Karen Bivins, Director
Joan Chrane, Vice Chair	Jeffrey Hill, Deputy Director
David Kitchen	Bruce Osborne, Field Investigator
Cathy Manchester	Catherine Pendergast, Education Coordinator
Adam Shub	Kim Baker, Office Specialist I
	Deborah Fales, Office Specialist I
<b><u>MEMBERS ABSENT</u></b>	Andrew Black, AAG
None	

**Location:** Central Conference Room

**Start:** 9: 00 a.m.

**Adjourn:** 10:17 a.m.

The meeting was opened by Plourde and immediately turned over to David Kitchen who was acting chair at the meeting held on 05/19/2016 in order to discuss case number 2014-REC-10657.

## **Decisions And Order 2014-REC-10657**

The Commission was advised that the licensee wished to voluntarily surrender her license prior to them taking final action on the decision and order. Hearing Officer Rebekah Smith via teleconference advised Commission members of their options regarding the surrender and action they could take if the licensee appeals the decision and order in case number 2014-REC-10657, and/or requests a stay.

A motion was made by Manchester to deny the request to surrender the licensee's license in case number 2014-REC-10657. The motion failed for a lack of a second. Manchester withdrew the motion.

A motion was made by Manchester and seconded by Shub, to add the request for surrender of the licensee's license in case number 2014-REC-10657 to the agenda. Unanimous.

A motion was made by Manchester and seconded by Shub to deny the request to surrender the licensee's license in case number 2014-REC-10657. Manchester, Kitchen and Shub voted in the affirmative; Plourde and Chrane abstained. Motion carried.

A motion was made by Manchester and seconded by Shub to approve the Decision and Order in in case number 2014-REC-10657, Director v. Barbara A. Pitcairn, as presented. Manchester, Kitchen and Shub voted in the affirmative; Plourde and Chrane abstained. Motion carried.

Acting Chair Kitchen returned the meeting to Chair Plourde.

## **Agenda Modifications**

A motion was made by Kitchen and seconded by Shub to add the proposed dismissal in case number 2015-REC-11400 and proposed consent agreements in case numbers 2016-REC-12246 and 2016-REC-12266 to the agenda. Unanimous.

## **Commission Minutes**

A motion was made by Manchester and seconded by Shub to approve the minutes of the May 19, 2016 meeting. Chrane and Plourde abstained; Kitchen, Shub and Manchester voted in the affirmative. Motion carried.

## **Proposed Consent Agreements**

A motion was made by Chrane and seconded by Kitchen to approve the proposed consent agreements in case numbers: 2016-REC-12246, 2016-REC-12250, and 2016-REC-12266. Unanimous.

## **Proposed Dismissals**

A motion was made by Kitchen and seconded by Manchester to approve the proposed dismissals in case numbers: 2015-REC-11352, 2015-REC-11400, and 2015-REC-11723. Unanimous.

## **Request for Extension**

None.

## **Director's Report**

The Director presented the Commission with the new Core Course for Brokers and Associate Brokers II for approval.

After a discussion regarding the language surrounding "material defect", a motion was made by Manchester and seconded by Chrane, to approve the course as amended by the Commission. Unanimous.

The Commission discussed issues surrounding disclosure of septic system design and the number of bedrooms counted in the listing of a residential property.

## **Meeting Dates**

The next meeting is scheduled for Thursday, July 21, 2016.

## **Adjournment**

The meeting adjourned at 10:17 a.m.

This report respectfully submitted,  
Kim Baker, Office Specialist I