

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
MAINE REAL ESTATE COMMISSION**

In Re:

Kerry L. Gallagher)
Keller Williams Realty) **CONSENT AGREEMENT**
50 Sewall Street)
Portland, Maine)

INTRODUCTION

This Consent Agreement regarding the brokerage activity of Kerry L. Gallagher is entered into pursuant to 32 M.R.S.A. § 13069(6)(B) (1988). The parties to this Consent Agreement are Kerry L. Gallagher ("Gallagher") and Carol J. Leighton, Director of the Maine Real Estate Commission ("Director").

FACTS

Gallagher is an associate broker licensed with Keller Williams Realty doing business at 50 Sewall Street in Portland, Maine.

On December 7, 2006 the Commission received Gallagher's associate broker license renewal application. As part of the renewal application, Gallagher confirmed that she had complied with the continuing education requirement for renewal. Based on the information provided in the application, Gallagher's associate broker renewal license was issued effective December 10, 2006 with an expiration date of December 9, 2008.

By letter dated January 4, 2007 Gallagher was notified by the Commission that her name had been selected for an audit of the continuing education courses she had completed to qualify for renewal. On March 12, 2007 Gallagher submitted copies of continuing education course certificates totaling 18 clock hours, which included the required core course, completed during her license renewal term. According to Gallagher she completed an additional course but is unable to locate the certificate.

AGREEMENT

Whereas, the parties wish to conclude this matter without a hearing before the Commission, they hereby agree to the following terms, subject to the approval of the Commission and the Department of the Attorney General.

1. Gallagher acknowledges all the facts set forth above as true to the best of her knowledge and belief.
2. Gallagher acknowledges that her conduct in certifying that she met the continuing education requirements for renewal when she had not completed 21 clock hours of approved continuing education constitutes a violation of 32 M.R.S.A. §§ 13067(1)(F) and 13197(1).

3. Gallagher agrees to pay to the Commission a fine in the amount of \$600.00 on or before August 31, 2007. Payment shall be in the form of a bank check or money order made payable to the Treasurer of the State of Maine.


4. Gallagher agrees to submit course certificates certifying completion of 3 clock hours of approved continuing education within 10 days of the approval date of this Agreement. Gallagher agrees that the continuing education course hours completed to comply with the Agreement may only be used for the renewal of her license in December 2006.

5. The Director and the Commission agree that no further agency or legal action will be initiated against Gallagher by the Commission based upon the facts described herein, except that in the event that Gallagher does not fully comply with the terms of this Agreement, the Director or the Commission shall initiate whatever action is deemed necessary. However, the Director or the Commission may consider the misconduct described above as evidence of a pattern of conduct in the event that similar misconduct allegations are brought against Gallagher in the future. Additionally, the Director or the Commission may consider the fact that discipline was imposed by this Agreement as a factor in determining appropriate discipline should any further misconduct allegations be proven against Gallagher in the future.

Dated: 6-11-07


KERRY L. GALLAGHER

Dated: 6-11-07

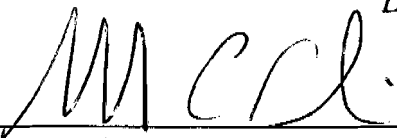

WITNESS

Dated: 6/14/07


CAROL J. LEIGHTON
Director, Maine Real Estate Commission

APPROVED

Dated: 6/21/07


ROBERT C. PERKINS
Assistant Attorney General
Commission Counsel for the
Office of the Attorney General


DAVID C. KITCHEN
Chairman
Maine Real Estate Commission