

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

MAINE REAL ESTATE COMMISSION

In Re:

Susan A. Braley )  
Lynam Real Estate Agency ) **CONSENT AGREEMENT**  
PO Box C )  
Bar Harbor, Maine )

INTRODUCTION

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

FACTS

Braley is an associate broker licensed with Lynam Real Estate Agency doing business at 227 Main Street in Bar Harbor, Maine.

On March 22, 2004 Braley submitted a sales agent license application to the Commission. As part of the application, Braley responded to the criminal conviction question ("have you ever been convicted by any court of any offense") by checking off "no." Based on the information provided in the application, a sales agent license was issued to Braley.

On March 19, 2007 Braley submitted an associate broker license application to the Commission. As part of the application, Braley responded to the criminal conviction question ("have you ever been convicted by any court of any offense") by checking off "no." Braley completed the "Criminal Records Check" form and listed the name "Susan Buchanan" as a former name. Braley did not provide this name when she applied for the sales agent license in March 2004. On March 20, 2007 the Commission received a State Bureau of Identification ("SBI") report for a Susan Buchanan with the same date of birth as listed on Braley's license application. The report listed a conviction for "Theft (Misdemeanor Unknown Class)" on February 24, 1986.

On March 23, 2007 the Director contacted Braley. The Director asked Braley why she did not list "Susan Buchanan" as a former name when she applied for the sales agent license in 2004. Braley said she did not think of it at that time. The Director read the SBI report to Braley and Braley responded that she recalled an event that she described as a "dare" while she was in college. Braley has received security clearance through the military and the college incident was not an issue.

On March 26, 2007 Braley submitted a written amendment to the license application in which she disclosed the 1986 conviction.

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. Braley acknowledges all the facts set forth above as true to the best of her knowledge and belief.
2. Braley acknowledges that the March 22, 2004 and March 19, 2007 license applications filed with the Commission were not properly completed in that she failed to disclose the February 24, 1986 criminal conviction, which constitutes a violation of 32 M.R.S.A. §§ 13067(1)(F) and 13191(1).
3. Braley agrees to pay to the Commission a fine in the amount of \$300.00 on or before May 11, 2007. Payment shall be in the form of a bank check or money order payable to the Treasurer of the State of Maine.
4. The Director and the Commission agree that no further agency or legal action will be initiated against Braley by the Commission based upon the facts described herein, except that in the event that Braley 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 Braley 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 Braley in the future.

Dated: 2 APRIL '07

  
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SUSAN A. BRALEY

Dated: 4-2-07

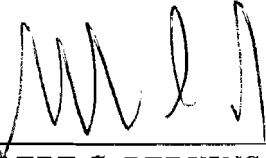
  
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WITNESS

Dated: 4-4-07

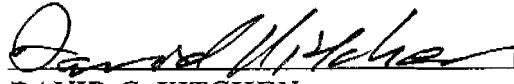
  
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CAROL J. LEIGHTON  
Director, Maine Real Estate Commission

APPROVED

Dated: 5/24/07



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



**DAVID C. KITCHEN**  
*Chairman  
Maine Real Estate Commission*