

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

MAINE REAL ESTATE COMMISSION

In Re:

Matthew M. Fournier)
Re/Max River Cities) *CONSENT AGREEMENT*
195 Center Street)
Auburn, Maine)

INTRODUCTION

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

FACTS

Fournier is a sales agent licensed with Re/Max River Cities doing business at 195 Center Street in Auburn, Maine.

On January 3, 2008 Fournier submitted to the Commission a sales agent license application. As part of the application, Fournier responded to the criminal conviction question ("have you ever been convicted by any court of any offense") by checking off "no."

The Commission received a State Bureau of Identification ("SBI") report for a Matthew Fournier with the same date of birth as listed on Fournier's license application. The report listed a conviction for "Criminal Mischief (Charge Class D)" on July 17, 1995.

On January 10, 2008 the Director called Fournier regarding his response to the criminal conviction question as noted above. During that conversation, the Director asked Fournier if the "no" response to the criminal conviction question was correct. Fournier responded that when he filled out the application he thought the question asked about a "felony." The Director read the SBI report to Fournier. Fournier responded that he thought the matter had been resolved and that he had applied for other licenses and the matter did not come up.

On January 11, 2008 Fournier submitted an amendment to the application disclosing the 1995 criminal 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.

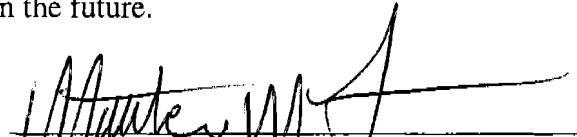
1. Fournier acknowledges all the facts set forth above as true to the best of his knowledge and belief.

2. Fournier acknowledges that the October 12, 2007 license application filed with the Commission was not properly completed in that he failed to disclose the July 17, 1995 criminal conviction, which constitutes a violation of 10 M.R.S.A. § 8003(5-A)(A)(4) and 32 M.R.S.A. § 13067-A(6).

3. Fournier agrees to pay to the Commission a fine in the amount of \$200.00 on or before April 30, 2008. 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 Fournier by the Commission based upon the facts described herein, except that in the event that Fournier 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 Fournier 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 Fournier in the future.


Dated: 1/16/08


MATTHEW M. FOURNIER

Dated: 1/16/08

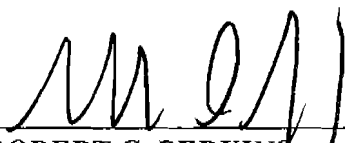

WITNESS

Dated: 1/17/08

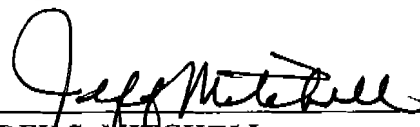

CAROL J. LEIGHTON
Director, Maine Real Estate Commission

APPROVED

Dated: 11/17/06



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



JEFFREY S. MITCHELL
*Chairman
Maine Real Estate Commission*