

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

In Re:

Gary C. Agger	)	
Agency 1 Real Estate	)	<i>CONSENT AGREEMENT</i>
PO Box 324	)	
Scarborough, Maine	)	

**INTRODUCTION**

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

**FACTS**

Agger is an associate broker licensed with Agency 1 Real Estate doing business at 15 U.S. Route 1 in Scarborough, Maine.

On March 5, 2009 the Commission received Agger’s associate broker licenses renewal application. As part of the application, Agger confirmed that he had complied with the continuing education requirement for renewal. Based on the information provided in the application, Agger’s associate broker renewal license was issued effective March 5, 2009 with an expiration date of March 3, 2011.

By letter mailed on or about April 3, 2009 Agger was notified by the Commission that his name had been selected for an audit of the continuing education courses he had completed to qualify for renewal.

On April 27, 2009 Agger submitted copies of continuing education course certificates totaling 21 clock hours completed during his license renewal term. The 21 clock hours did not include the required core course “What Am I & Why is it Important?” Agger also submitted a course certificate confirming completion of the required course on April 17, 2009, after the issuance of his renewal license on March 5, 2009.

**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.

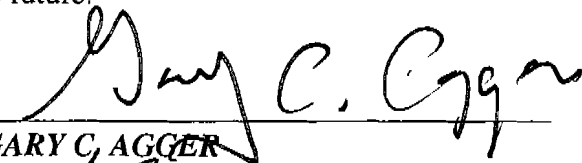
1. Agger acknowledges all the facts set forth above as true to the best of his knowledge and belief.

2. Agger acknowledges that his conduct in certifying that he met the continuing education requirement for renewal when he had not completed the required core course constitutes a violation of 10 M.R.S.A. §§ 8003(5-A)(A)(4) & (5); 32 M.R.S.A. § 13197(3); and Chapter 370 Section 10(A) of the Maine Real Estate Commission Rules.

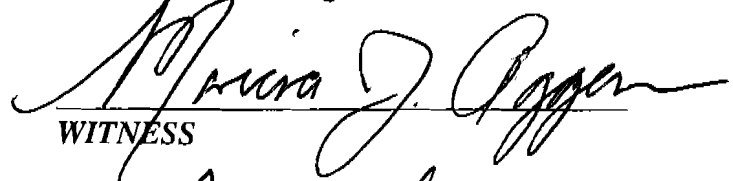
3. Agger agrees to pay a fine in the amount of \$500.00. The fine shall be submitted to the Commission by November 13, 2009 and shall be made payable to the Treasurer of the State of Maine.

4. The Director and the Commission agree that no further agency or legal action will be initiated against Agger by the Commission based upon the facts described herein, except that in the event that Agger 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 Agger 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 Agger in the future.

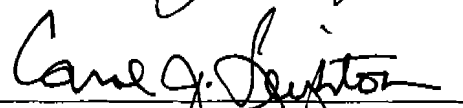
Dated: 5/18/09

  
GARY C. AGGER

Dated: 5/18/09

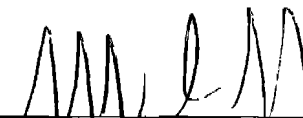
  
WITNESS

Dated: 5/22/09

  
CAROL J. LEIGHTON  
Director, Maine Real Estate Commission

**APPROVED**

Dated: 6/16/09

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

  
SHARON A. MILLETT  
Chairman  
Maine Real Estate Commission