

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

In Re:

Brian A. Cartwright	)	
Realty of Maine	)	<b>CONSENT AGREEMENT</b>
458 Main Street	)	
Bangor, Maine	)	

**INTRODUCTION**

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

**FACTS**

Cartwright is an associate broker licensed with Realty of Maine doing business at 458 Main Street in Bangor, Maine.

On August 13, 2009 Cartwright completed the online renewal process. As part of the online process, Cartwright was required to respond to questions regarding his eligibility for renewal. One of the questions Cartwright was required to answer concerned his completion of the required continuing education:

*Your license requires 21 hours of continuing education for renewal. After you have reviewed the continuing education requirement for license renewal listed in the Board Rules Chapter 370 [link provided] and Continuing Education Statute, [link provided] please indicate whether you have met the requirements. Please note that a YES answer to this question means that at the time you submit this renewal application online, you have already successfully completed the 21 hours.*

Cartwright checked the “yes” answer and completed the renewal process. Based on the information provided in the application, Cartwright’s associate broker renewal license was issued effective August 18, 2009 with an expiration date of August 17, 2011.

By letter mailed on or about September 3, 2009 Cartwright 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 September 10, 2009 Cartwright submitted copies of continuing education course certificates totaling 15 clock hours completed during his license renewal term. The 15 clock hours included the required core course, “What am I & Why is it Important.” Cartwright also submitted copies

of continuing education course certificates completed prior to the issuance of his associate broker license in August 2007.

**AGREEMENT**

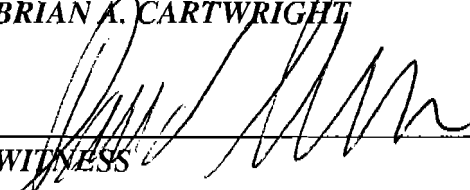
Whereas, the parties wish to conclude this matter without a hearing before the Commission, they hereby agree to the following terms, subject to the approval of the Commission and the Department of the Attorney General.

1. Cartwright acknowledges all the facts set forth above as true to the best of his knowledge and belief.
2. Cartwright acknowledges that his conduct in certifying that he met the continuing education requirement for renewal when he had not completed 21 clock hours of continuing education constitutes a violation of 10 M.R.S.A. § 8003(5-A)(A)(4) and 32 M.R.S.A. § 13197(1).
3. Cartwright agrees to pay a fine in the amount of \$800.00. The fine shall be submitted to the Commission by January 15, 2010 and shall be payable to the Treasurer of the State of Maine.
4. Cartwright agrees to submit to the Commission course certificates confirming completion of a minimum of 6 clock hours of approved continuing education within 10 days of the approval date of this Agreement. Cartwright agrees that the course certificates submitted for compliance with this Agreement may only be used for renewal of his license in August 2009.
5. The Director and the Commission agree that no further agency or legal action will be initiated against Cartwright by the Commission based upon the facts described herein, except that in the event that Cartwright 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 Cartwright 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 Cartwright in the future.

Dated: 10/7/09

  
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BRIAN A. CARTWRIGHT

Dated: 10/7/09

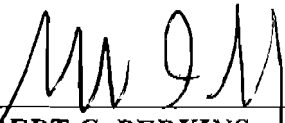
  
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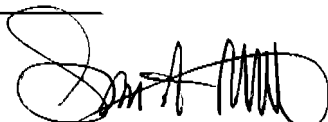
Dated: 10/13/09

  
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**CAROL J. LEIGHTON**  
*Director, Maine Real Estate Commission*

**APPROVED**

Dated: 10/15/09

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

  
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**SHARON A. MILLETT**  
*Chairman  
Maine Real Estate Commission*