

# STATE OF MAINE DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION REAL ESTATE COMMISSION

35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035



Janet T. Mills Governor

# Public Commission Meeting August 21, 2025 AGENDA

Location: 76 Northern Ave. Gardiner, ME 04345

Room: Central Conference Room

Information regarding virtual attendance to this meeting will be posted on the Board's website at: <a href="https://www.maine.gov/pfr/professionallicensing/professions/real-estate-commission/home/board-meeting-information">https://www.maine.gov/pfr/professionallicensing/professions/real-estate-commission/home/board-meeting-information</a>

<u>Time:</u> 9:00 a.m. <u>Contact:</u> Shara Chesley, (207) 624-8521 Shara.Chesley@maine.gov

#### I. CALL TO ORDER

#### II. AGENDA MODIFICATIONS AND APPROVAL

#### III. ADJUDICATORY HEARING

Director v. Jourdan St. Laurent

#### IV. MINUTES REVIEW AND APPROVAL

Review and approval of July 17, 2025, minutes.

#### V. PROPOSED DISMISSALS

2022-REC-18665

2022-REC-18740

2022-REC-18757

2023-REC-18822

2023-REC-19136

#### VI. PROPOSED CONSENT AGREEMENTS

2025-REC-20836

2025-REC-20864

#### VII. DIRECTOR'S REPORT

PL 69: An Act Regarding Disclosures by Sellers of Residential Real Property of Notices of Shoreland Zoning Ordinance Violations

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OFFICES LOCATED AT:
76 NORTHERN AVE GARDINER MAINE 04345

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#### VIII. PUBLIC COMMENT

Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board, except for any open application or complaint. While the Board cannot take action on any issues presented, the Board will listen to comments and may ask staff to place the issue on a subsequent agenda. At the discretion of the Board Chair, a time limit on comments may be set

#### IX. MEETING SCHEDULE

Next meeting scheduled for September 18, 2025.

# X. ADJOURNMENT

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# Minutes of the Maine Real Estate Commission Meeting July 17, 2025

MEMBERS PRESENT	STAFF PRESENT
Leanne Nichols, Chairman	Catherine Pendergast, Director
Edith Fontaine	Jeffrey Hill, Deputy Director
Charles Brawn	Lisa Wilson, AAG
	Laurie Northrup, Field Investigator
	Jazmyne Marks, Licensing Supervisor
	Shara Chesley, Office Specialist I
MEMBERS ABSENT	Heidi Lincoln, Office Specialist I
Jane B. Towle, Vice Chair	
Forrest C. Peterson	

**Location**: 76 Northern Ave Gardiner, ME **Start**: 9:05 a.m. **Adjourn:** 10:11 a.m.

# I. CALL TO ORDER

The meeting was opened by Chair Nichols at 9:05 a.m.

# II. AGENDA MODIFICATIONS

A motion was made by Brawn and seconded by Fontaine to add proposed dismissal 2022-REC-18807 and a request for an extension /modification of consent agreement 2025-REC-20591. Unanimous.

#### III. MINUTES REVIEW AND APPROVAL

A motion was made by Brawn and seconded by Fontaine to approve the minutes of the May 15, 2025, meetings. Unanimous.

#### IV. PROPOSED DISMISSAL

A motion was made by Fontaine and seconded by Brawn to approve dismissals for 2022-REC-18666; 2022-REC-18701; 2022-REC-18727; and 2022-REC-18807. Unanimous.

#### V. PROPOSED CONSENT AGREEMENTS

A motion was made by Fontaine and seconded by Brawn to modify the consent agreement 2025-REC-20591 extending the terms of the Agreement to September 30, 2025. Unanimous.

#### VI. DIRECTOR'S REPORT

- 1. The Director introduced a new Commission staff member, field investigator Laurie Northrup.
- 2. The Director provided an update on recent changes to the license renewal audit process. Licensees are now notified they have been chosen for an audit at the time of renewal. Previously licensees received notice of audit after they had completed the renewal process.
- **3.** The Director presented a draft Basis Statement and Summary and Response to Comments and Small Business Impact Statement for proposed Rulemaking:

#### Repeal:

Chapter 300: GENERAL INFORMATION

Chapter 340: COMPLAINTS AND INVESTIGATIONS

Chapter 350: ADJUDICATORY HEARINGS

Chapter 360: PREREQUISITES TO LICENSURE BY INDIVIDUALS

Chapter 370: CONTINUING EDUCATION

Chapter 390: LICENSING PROCEDURES AND REQUIREMENTS

Chapter 400: AGENCY/DESIGNATED BROKER RESPONSIBILITIES

Chapter 410: MINIMUM STANDARDS OF PRACTICE

#### Replace:

Chapter 300: COMMISSION MEETINGS

Chapter 340: COMPLAINTS AND INVESTIGATIONS

Chapter 350: ADJUDICATORY HEARINGS

Chapter 360: APPROVAL OF QUALIFYING EDUCAION COURSES

Chapter 370: CONTINUING EDUCATION

Chapter 390: LICENSING PROCEDURES AND REQUIREMENTS FOR INDIVIDUALS AND AGENCIES

Chapter 400: REAL ESTATE BROKERAGE AGENCY AND DESIGNATED BROKER RESONSIBILITES

Chapter 410: MINIMUM STANDARDS OF PRACTICE

Commission members were in agreement on responses to comments with the exception of comments regarding the addition of Chapter 400 Section 1(J) Responsibilities of Designated Broker, "Affiliated licensees are properly licensed including completion of continuing education requirements for license renewal." A motion was made by Brawn and seconded by Fontaine to respond to comments on Chapter 400 Section 1(J) by thanking the commenter, but they will proceed without adopting the comment. Fontaine and Brawn voted in the affirmative. Nichols opposed. Motion carried.

A motion was made by Brawn and seconded by Fontaine to accept the Basis Statement and Summary and Response to Comments and Small Business Impact Statement as amended with final approval by Chair. Fontaine and Brawn voted in the affirmative. Nichols opposed. Motion Carried.

A motion was made by Fontaine and seconded by Brawn to adopt Rules as presented. Fontaine and Brawn voted in the affirmative. Nichols opposed. Motion Carried.

**4.** The Director discussed Resolve Chapter 104, *Resolve, to Establish the Commission to Recommend Methods for Preventing Deed Fraud in the State* approved by the Governor on July 1,2025. Commission membership includes the chair of the Real Estate Commission or the chair's designee. Chair Nichols will designate a Real Estate Commission member.

# VII. PUBLIC COMMENT

None

#### VIII. MEETING SCHEDULE

The next meeting is currently scheduled for Thursday August 21, 2025.

#### IX. ADJOURNMENT

A motion was made by Brawn and seconded by Fontaine to adjourn the meeting at 10:11 a.m. Unanimous.

CHAPTER
69
PUBLIC LAW

#### STATE OF MAINE

# IN THE YEAR OF OUR LORD

# TWO THOUSAND TWENTY-FIVE

H.P. 267 - L.D. 413

# An Act Regarding Disclosure by Sellers of Residential Real Property of Notices of Shoreland Zoning Ordinance Violations

# Be it enacted by the People of the State of Maine as follows:

- **Sec. 1. 33 MRSA §173, sub-§8,** as enacted by PL 2023, c. 602, §5 and reallocated by RR 2023, c. 2, Pt. A, §52, is repealed and the following enacted in its place:
- **8.** Shoreland zoning ordinance. Detailed information on any of the following related to a shoreland zoning ordinance adopted pursuant to Title 38, chapter 3, subchapter 1, article 2-B:
  - A. A notice of violation issued by a municipal official or state agency;
  - B. A pending enforcement action;
  - C. Litigation;
  - D. A court judgment; and
  - E. A settlement or consent agreement.