

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
221 State Street, Augusta, Maine

MAINE BOARD OF REAL ESTATE APPRAISERS
VIRTUAL BOARD MEETING
April 4, 2023
MINUTES

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Wendy Boston, Chair	Cathy Pendergast, Administrator
Nathan Shipley, Vice-Chair	Andrew Black, Assistant Attorney General
Alan Johnson, Complaint Officer	Regina Ritchie, Licensing Supervisor
Russell Barrows	
Jacques Weinstein	
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>

Location: 32 Blossom Lane, Augusta, ME Start: 9:05 a.m. Adjourn: 10:37 p.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 9:05 a.m.

II. AGENDA MODIFICATIONS

A motion was made by Barrows and seconded by Johnson to add an email from Marc Goulet regarding Appraisal Sample Reviews to the agenda. Unanimous.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Weinstein and seconded by Shipley to approve the March 7, 2023 minutes as presented. Unanimous.

IV. ADJUDICATORY HEARING

The hearing was resolved with withdrawal of the appeal of preliminary license denial and consent agreement as follows:

2022-REA-18401 Zachary W. Brewster

Zachary Brewster offered to withdraw the appeal of his preliminary license denial. Shipley made a motion to accept the withdrawal, seconded by Barrows. Shipley, Barrows, Weinstein and Boston voted in the affirmative. Johnson recused. Motion carried.

2022 – REA-18424 Whitmore F. Brewster

The Board was presented with a proposed consent agreement by council for Brewster and Board council Phil Mantis in which Brewster admitted to all violations and agreed to discipline of a reprimand and \$1,500 civil penalty. Barrows made a motion to deny the proposed consent agreement, seconded by Shipley. Barrows, Shipley and Boston voted in the affirmative. Weinstein against. Johnson recused. Motion carried.

Board members Boston, Barrows, Weinstein and Shipley offered suggestions for a potentially acceptable agreement.

At 10:28 Board council Mantis presented a revised proposed consent agreement adding to the reprimand and \$1,500 civil penalty completion of the 15 Hour Uniform Standards of Professional Appraisal Practice (USPAP) Course and 30 Hour Residential Sales Comparison and Income Approaches both with passing exams within 60 days of execution of the agreement. If courses are not successfully completed in 60 days the license will be suspended until the course are successfully completed. Chair Boston has the authority to sign when agreement is written. Weinstein made a motion to accept, seconded by Shipley. Weinstein, Shipley and Boston voted in the affirmative. Barrows against. Johnson recused. Motion carried.

V. COMPLAINT PRESENTATIONS

2022-REA-18120 –A motion was made by Barrows and seconded by Shipley to offer licensee a consent agreement giving licensee 30 days to satisfy the exam requirement. If licensee accepts the consent agreement, must satisfy the exam requirement within 30 days of fully executed agreement or there will be a suspension of the license until the exams are completed. Boston, Barrows, Shipley and Weinstein voted affirmative. Johnson abstained. Motion carried.

VI. APPLICATION REPORT

Reviewed by the Board Members.

VII. ADMINISTRATOR'S REPORT

The Administrator discussed with the Board a Limited Delegation of Authority to the Board's Administrator to Prepare Letters of Guidance for Resolving Complaints Involving Failing to Report Criminal convictions and/or Disciplinary Action within 10 days. A motion was made to accept by Weinstein and seconded by Barrows. Unanimous

The Administrator discussed with the Board a Limited Delegation of Authority to the Board's Administrator to Offer consent Agreements Resolving Complaints Involving Continuing Education Audits. A motion was made to accept by Barrows and seconded by Shipley. Unanimous

The Administrator discussed with the board the draft Board Member Remote Participation Policy. A motion was made to accept by Johnson and seconded by Shipley. Unanimous

The Administrator discussed with the Board a communication received by Drury of the Land for Maine's Future Program. Board members requested additional information and suggested extending an invitation to Drury to attend the next meeting.

The Administrator discussed with the Board the email communication received by Marc Goulet regarding sample appraisal reviews. AAG Andrew Black and Director Catherine Pendergast will draft a form to be used upon receipt of appraisal samples where the license applicant has not signed the appraisal report or certification.

VIII. PUBLIC COMMENT

None.

IX. MEETING SCHEDULE

The next meeting is currently scheduled for Tuesday, May 2, 2023.

X. ADJOURN

A motion was made by Weinstein and seconded by Barrows to adjourn the meeting. Unanimous.

Being no further board business, the meeting was adjourned at 10:37 a.m.