

**Minutes of the Maine Real Estate Commission Meeting
November 21, 2024**

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Edie Fontaine, Chair	Catherine Pendergast, Director
Leanne Nichols, Vice Chair	Jeffrey Hill, Deputy Director
Forrest C. Peterson	Lisa Wilson, AAG
Jane B. Towle	Jazmyne Marks, Licensing Supervisor
Charles Brawn	Shara Chesley, Office Specialist I
	Heidi Lincoln, Office Specialist I
<u>MEMBERS ABSENT</u>	

Location: 76 Northern Ave Gardiner, ME

Start: 9:01 a.m.

Adjourn: 12:51 p.m.

I. CALL TO ORDER

The meeting was opened by Chair Fontaine at 9:01 a.m.

II. AGENDA MODIFICATIONS

A motion was made by Nichols and seconded by Towle to add consent agreement 2021-REC-17886 to the agenda. Unanimous.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Brawn and seconded by Towle to approve the minutes of the September 19, 2024, meeting. Unanimous.

IV. ADJUDICATORY HEARING

2024-REC-20299 Director vs Karen R. Darling

Chair Fontaine opened the hearing at 9:07 a.m. Karen R. Darling was present and had no representation. The Director was present. Deputy Director Jeffrey Hill presented the Director's case.

Public deliberations were conducted at the close of the hearing.

1. A motion was made by Nichols and seconded by Towle that by the preponderance of the evidence demonstrated a violation pursuant to 32 M.R.S. § 13197(1) and ground for discipline under 10 M.R.S. § 8003(5-A)(A)(4) for not completing 21 clock hours of continuing education, including the required core course, during her renewal term. Unanimous.
2. A motion was made by Brawn and seconded by Nichols that by the preponderance of the evidence demonstrated a violation pursuant to Chapter 370, Section 10(A) of the Maine Real Estate Commission Rules, and ground for discipline under 10 M.R.S. § 8003 (5-A)(A)(5), for not completing the required core course prior to submitting her license renewal application. Unanimous.
3. A motion was made by Towle and seconded by Fontaine that by the preponderance of the evidence demonstrated violations pursuant to 32 M.R.S. § 13067-A(4) and 10 M.R.S. § 8003 (5-A)(A)(1), for misrepresenting on her license renewal application that she had, at that time, successfully completed 21 clock hours of continuing education including the required core course, when in fact she had not. Unanimous.

Sanctions

A motion was made by Towle and seconded by Fontaine to accept the Director's relief as requested. Sanctions to include a \$3,000 fine, 90-day license suspension and completion of 21 hours of continuing education to be used only for the renewal of her license in July 2024. Unanimous.

Hearing ended at 10:33 a.m. Recording stopped.

V. **PROPOSED DISMISSALS**

A motion was made by Towle and seconded by Nichols to approve the dismissal of case numbers 2021-REC-17891. Unanimous.

VI. **CONSENT AGREEMENTS**

A motion was made by Nichols and seconded by Brawn to approve the proposed consent agreements for case numbers: 2021-REC-17886; 2024-REC-20376; 2024-REC-20379. Unanimous.

VII. **RULE REVIEW**

The board reviewed and discussed the following:

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

Forrest Peterson left the meeting at 12 p.m.

VIII. **DIRECTOR'S REPORT**

The Director introduced new staff members Heidi Lincoln and Jazmyne Marks.

The Director notified the Commission of a petition filed with the superior court for review of final agency action for 2024-REC-19739.

The Director discussed qualifying education remote proctors with the board. A motion was made by Nichols and seconded by Towle to amend the guidelines of the qualifying education courses," The Associate Broker Course" and "The Designated Broker Course" to include online proctoring by companies specializing in testing. Fontaine, Nichols and Towle voted in the affirmative. Brawn abstained. Motion Carried.

IX. **PUBLIC COMMENT**

Stephanie Gone commented and thanked the board for approving remote proctors for qualifying education courses.

X. **MEETING SCHEDULE**

The next meeting is currently scheduled for Thursday December 19, 2024.

XI. **ADJOURNMENT**

A motion was made by Towle and seconded by Brawn to adjourn the meeting at 12:51 p.m. Unanimous.