

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
76 Northern Ave, Gardiner, Maine

MAINE BOARD OF REAL ESTATE APPRAISERS
PUBLIC MEETING
November 22, 2024
MINUTES

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Wendy Boston, Chair	Cathy Pendergast, Administrator
Alan Johnson, Vice-Chair	Betsy Stivers, Assistant Attorney General
Nathan Shipley, Complaint Officer	John Belisle, Assistant Attorney General
Russell Barrows	Jazmyne Marks, Licensing Supervisor
Jacques Weinstein	Heidi Lincoln, Office Specialist I
	Shara Chesley, Office Specialist I
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>
	<u>None</u>

Location: 76 Northern Ave. Gardiner ME

Start: 9:00 a.m.

Adjourn: 1:26 p.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 9:00 a.m.

II. AGENDA MODIFICATIONS

None.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Barrows and seconded by Shipley to approve November 5, 2024, Minutes. Boston, Barrows, Shipley and Johnson voted in the affirmative. Weinstein abstained. Motion carried.

IV. ADJUDICATORY HEARING

2023-REA-19093 Maria E. Weymouth

Johnson and Weinstein recused.

Hearing started at 9:05 a.m.

Hearing Officer – Rebekah Smith opened the hearing at 9:05 a.m. Marie E. Weymouth was present, represented by Scott J. Lynch. AAG Tim Steigleman presented the Board’s case.

Public deliberations were conducted at the close of the hearing.

1. A motion was made by Boston and seconded by Barrows that a preponderance of the evidence demonstrated a violation pursuant to 32 M.R.S. § 14014-A(7). Unanimous.

2. A motion was made by Barrows and seconded by Shipley that a preponderance of the evidence demonstrated a violation pursuant to 32 M.R.S § 14014-A(8). Unanimous.
3. Pursuant to 10 M.R.S. §8003(5-A)(A)(4) & (5) for violating a governing law and rules of the Board, specifically 32 M.R.S. § 14028 and Board Rules Chapter 240 by failing to comply with standards established by USPAP when developing and drafting an appraisal report in February 2023:
 - A. A motion was made by Barrows and seconded by Shipley that a violation of Standard Rule 1.1(a) occurred. Unanimous.
 - B. A motion was made by Barrows and seconded by Shipley that a violation of Standard Rule 1.1(b) occurred. Unanimous.
 - C. A motion was made by Shipley and seconded by Barrows that a violation of Standard Rule 1.1(c) occurred. Unanimous.
 - D. A motion was made by Barrows and seconded by Shipley that a violation of USPAP Standard Rule 1-2(e) did not occur. Unanimous
 - E. A motion was made by Shipley and seconded by Barrows that a violation of USPAP Standard Rule 1-4(a) occurred. Unanimous
 - F. A motion was made by Barrows and seconded by Shipley that a violation of USPAP Standard Rule 1-4(b)(ii)(iii) occurred. Unanimous
 - G. A motion was made by Barrows and seconded by Shipley that a violation of USPAP Standard Rule 1-5(b) occurred. Unanimous
 - H. A motion was made by Barrows and seconded by Shipley that a violation of USPAP Standard Rule 1-6(a) occurred. Unanimous
 - I. A motion was made by Barrows and seconded by Shipley that a violation of USPAP Standard Rule 2-1(a) occurred. Unanimous
 - J. A motion was made by Barrows and seconded by Shipley that violation of the Ethics Rule did not occur. Unanimous.
 - K. A motion was made by Barrows and seconded by Shipley that violation of the Competency Rule did not occur for failing to timely decline or withdraw from the assignment. Unanimous.

Sanctions

A Motion was made by Barrows and seconded by Shipley to impose sanctions including a Censure; successful completion of the 15-Hour Residential Appraiser Site Valuation and Cost Approach and 30-Hour Residential Sales Comparison and Income Approaches courses within 60 days of issuance of the Decision in Order. Unanimous.

A motion was made by Barrows and seconded by Shipley to allow the Board Chair to sign the Decision and Order when it is written. Unanimous.

The hearing ended at 1:01 p.m. Recording was stopped.

Johnson and Weinstein re-joined the meeting.

V. COMPLAINT PRESENTATIONS

2024-REA-20279 – A motion was made by Weinstein and seconded by Johnson to dismiss with a Letter of Guidance. Weinstein, Boston, Johnson & Barrows voted in the affirmative. Shipley abstained. Motion carried.

VI. ADMINISTRATOR'S REPORT

None.

VII. PUBLIC COMMENT

None.

VIII. MEETING SCHEDULE

The next regularly scheduled meeting is scheduled for Tuesday, January 7, 2025.

IX. ADJOURN

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

Being no further board business, the meeting was adjourned at 1:26 p.m.