

**Minutes of the Maine Real Estate Commission Meeting
August 17, 2023**

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Edie Fontaine, Chair	Catherine Pendergast, Director
Leanne Nichols, Vice Chair	Jeffrey Hill, Deputy Director
Jane B. Towle	Jack Driscoll, Field Investigator
Forrest C. Peterson	Lisa Wilson, AAG
Charles Brawn	Regina Ritchie, Professional Licensing Supervisor
	Shara Chesley, Office Specialist I
<u>MEMBERS ABSENT</u>	Jen Maddox, Office Specialist I
None	

Location: 221 State Street Augusta, ME

Start: 9:03 a.m.

Adjourn: 1:40 a.m.

I. CALL TO ORDER

The meeting was opened by Chair Fontaine at 9:03 a.m.

II. AGENDA MODIFICATIONS

A motion was made by Towle and seconded by Nichols to add Dismissal 2020-REC-17133 to agenda. Unanimous.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Brawn and seconded by Nichols to approve the minutes of the July 20, 2023 meeting. Unanimous.

IV. ADJUDICATORY HEARING

2023-REC-19220 Director v. Lalah Kargar

Hearing Officer – Mark Terison opened the hearing at 9:10 a.m. Lalah Kargar was present, and represented by counsel, David Johnson. The Director was present. AAG Betsy Stivers presented the Director’s case.

Nichols recused at 10:15 a.m.

Public deliberations were conducted at the close of the hearing.

1. A motion was made by Brawn and seconded by Towle that a preponderance of the evidence proved a violation pursuant 32 M.R.S. §13067-A(2). Fontaine and Towle voted affirmative. Peterson and Brawn opposed. Motion failed.
2. A motion was made by Brawn and seconded by Towle that a preponderance of the evidence proved a violation pursuant to 32 M.R.S. § 13067-A(1). Towle, Brawn and Fontaine voted affirmative. Peterson opposed. Motion carried.

3. A motion was made by Brawn that the preponderance of the evidence demonstrated that Kargar met the requirements of 32 M.R.S §13191(5). The motion was not seconded. Motion failed.
A motion was made by Towle and seconded by Brawn, that the preponderance of the evidence did not demonstrate Kargar met the requirements of 32 M.R.S §13191(5). Towle, Brawn, Fontaine voted in the affirmative. Peterson opposed. Motion Carried.

A motion was made by Brawn and seconded by Towle to allow Commission Chair Fontaine to sign the Decision and Order when it is written. Unanimous.

Hearing ended at 1:26 p.m. Recording was stopped.

V. DISMISSALS

Nichols recused and left the conference room.

A motion was made by Towle and seconded by Brawn to accept Dismissal 2020-REC-16951. Towle, Brawn, Peterson and Fontaine voted in the affirmative. Motion carried.

Nichols rejoined meeting.

A motion was made by Towle and seconded by Nichols to approve the dismissals in case numbers 2020-REC-16935, 2020-REC-17032; 2020-REC-17133. Unanimous.

VI. DIRECTOR'S REPORT

Director Pendergast provided an update on LD170 and LD1306 and updated board members on the status of rulemaking.

VII. PUBLIC COMMENT

One member via Zoom commented. (Beth Sleeper Roybal)

VIII. MEETING SCHEDULE

The next meeting is currently scheduled for Thursday, September 21, 2023.

IX. ADJOURNMENT

A motion was made by Nichols and seconded by Brawn to adjourn the meeting at 1:40 p.m. Unanimous.