

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

MAINE BOARD OF REAL ESTATE APPRAISERS
PUBLIC RULEMAKING MEETING
November 7, 2023
MINUTES

MEMBERS PRESENT	STAFF PRESENT
Wendy Boston, Chair	Cathy Pendergast, Administrator
Nathan Shipley, Vice-Chair	John Belisle, Assistant Attorney General
Alan Johnson, Complaint Officer	Regina Ritchie, Professional Licensing Supervisor
Russell Barrows	Shara Chesley, Office Specialist I
Jacques Weinstein	
MEMBERS ABSENT	OTHERS PRESENT
None	None

Location: 76 Northern Ave, Gardiner ME **Start:** 9:00 a.m. **Adjourn:** 11:05 a.m.

I. CALL TO ORDER

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

II. AGENDA MODIFICATIONS

A motion was made by Johnson and seconded by Barrows to add a discussion about trainee real property appraiser experience limited to properties located in Maine. Unanimous.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Barrows and seconded by Shipley to approve the October 3, 2023 minutes as presented. Unanimous.

IV. PUBLIC RULEMAKING HEARING

Recording started at 9:03 a.m.

- Chapter 230: Supervisory Appraiser Duties
- Chapter 230: Standards of Professional Practice

No public comments.

Recording ended at 9:10 a.m.

IV. COMPLAINT PRESENTATIONS

2023-REA-19142 – A motion was made by Barrows and seconded by Shipley to terminate licensee’s supervisory relationship with his trainee real property appraisers. Barrows, Shipley, Weinstein and Boston voted in the affirmative. Johnson abstained. Motion Carried.

A motion was made by Barrows and seconded by Shipley to set the matter for hearing for violation of 32 MRS 14028 and USPAP: Ethics Rule; Conduct and Management, Recordkeeping Rule, Standards 1 and 2; Misrepresentation 10 MRS §8003(5-A). Weinstein, Barrows, Shipley, and Boston voted in favor. Johnson abstained. Motion carried.

2023-REA-19415 – A motion was made by Barrows and seconded by Shipley to offer a consent agreement and set the matter for hearing for violation of 32 MRS 14028, USPAP Standard 1-1 (a),(b),(c); Standard 1-3(a) (3),(5); Standard 1-5(a); Standard 1-6 (a),(b),(c); and Scope of Work Rule. Agreement to include a Reprimand, completion of the Appraisal Institute 30 hour Residential Sales Comparison and Income Approaches and 15 hour Residential Appraiser Site Valuation and Cost Approach Courses with passage of examinations completed within 90 days of effective date of consent agreement. Education

cannot be used toward license renewal. Shipley, Barrows, Weinstein and Boston voted in favor. Johnson abstained.

2032-REA-19473 – A motion was made by Barrows and seconded by Shipley to Dismiss with a Letter of Guidance. Weinstein, Barrows, Shipley, Boston voted in favor. Johnson abstained. Motion carried.

V. CONSENT AGREEMENTS

2022-REA-18447- A motion was made by Shipley and seconded by Barrows to offer consent agreement and set for hearing with sanction to include surrender of license. Weinstein, Shipley, Barrows, Boston voted in favor. Johnson abstained. Motion carried.

2022-REA-18756- A motion was made by Barrows and seconded by Shipley to offer consent agreement and set for hearing with sanction to include surrender of license. Weinstein, Shipley, Barrows, Boston voted in favor. Johnson abstained. Motion carried.

2022-REA-18069- A motion was made by Johnson and seconded by Barrows with immediate suspension until proof of compliance with Consent Agreement. Unanimous.

A motion was made by Johnson and seconded by Barrows to allow Chair Boston to sign all meeting consent agreements when ready. Weinstein, Shipley, Barrows, Boston voted in favor. Johnson abstained. Motion carried.

VI. The Board discussed the real property appraiser experience requirement limiting experience to Maine properties.

VII. ADMINISTRATOR'S REPORT

The administrator discussed with the Board a new law effective October 25, 2023 regarding recording of remote meetings. No action taken.

The administrator discussed with the Board the agency bill, An Act to Amend the Laws Governing Real Estate Appraisers and Appraisal Management Companies. No action taken.

The Board discussed a comment submitted from Robert Strong. No action taken.

VI. PUBLIC COMMENT

None.

VII. MEETING SCHEDULE

The next meeting is currently scheduled for Tuesday, December 5, 2023.

VIII. 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 11:05 a.m.