

Minutes of the Maine Real Estate Commission Virtual Meeting

March 18, 2021

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
David Kitchen, Chair	Karen Bivins, Director
Edie Fontaine, Vice-Chair	Jeffrey Hill, Deputy Director
Gail Rizzo	Bruce Osborne, Field Investigator
Donald Plourde	Catherine Pendergast, Education Coordinator
	Kim Baker, Office Specialist I
<u>MEMBERS ABSENT</u>	Lisa Wilson, AAG
None	Debbie Fales, Office Specialist I

Location: Virtual **Start:** 9:00 a.m. **Adjourn:** 10:09 a.m.

CALL TO ORDER

The meeting was opened by Chair Kitchen at 9:00 a.m.

AGENDA MODIFICATIONS

A motion was made by Plourde and seconded by Fontaine to add proposed consent agreements in case numbers: 2020-REC-17075, 2021-REC-17298; and proposed dismissals in case numbers: 2018-REC-14323 AND 2018-REC-13885. Unanimous.

MINUTES REVIEW AND APPROVAL

A motion was made by Fontaine and seconded by Rizzo to approve the minutes of the February 18, 2021 virtual meeting. Plourde abstained; Kitchen, Rizzo and Fontaine voted in the affirmative. Motion carried.

DECISIONS AND ORDERS

A motion was made by Fontaine and seconded by Rizzo to approve the decision and order in case numbers 2020-REC-16941 Director v. James V. D'Amico; 2020-REC-16944 Director v. Mark D. Lomas; and 2020-REC-17118 Director v. Michael B. Hotarek. Plourde abstained; Kitchen, Rizzo and Fontaine voted in the affirmative. Motion carried.

COMPLAINT PRESENTATIONS

A motion was made by Fontaine and seconded by Rizzo to approve the proposed consent agreements in case numbers: 2020-REC-16942, 2020-REC-17034, 2020-REC-17075, 2021-REC-17218, 2021-REC-17250, 2021-REC-17298. Unanimous.

A motion was made by Plourde and seconded by Rizzo to approve the proposed dismissals in case numbers: 2018-REC-14323 AND 2018-REC-13885. Unanimous.

ADJUDICATORY HEARINGS

2020-REC-16943 Director v. Stephen M. Grone

Commission Chair Kitchen opened the hearing at 9:15 a.m. Mr. Grone was present but was not represented by an attorney. Commission Staff Bruce Osborne presented the Director's case. Assistant Attorney General Lisa Wilson was in attendance to advise the Commission.

Public deliberations were conducted at the close of the hearing at 9:44 a.m.

A motion was made by Plourde and seconded by Rizzo that there was evidence to support the allegation in Count I pursuant to 32 M.R.S. § 13197(1) and its grounds for discipline under 10 M.R.S. § 8003(5-A)(A)(4). Unanimous.

A motion was made by Fontaine and seconded by Rizzo to order the respondent to pay a fine of \$750.00 within 30 days. The 21 hours of continuing education completed on September 8, 2020 may only be used for the August 2020 license renewal. Plourde opposed; Kitchen, Rizzo and Fontaine voted in the affirmative. Motion carried.

DIRECTOR'S REPORT

The Director updated the Commission on legislation being monitored by the Department.

PUBLIC COMMENT

None.

MEETING SCHEDULE

The next meeting is currently scheduled for Thursday, April 15, 2021.

ADJOURNMENT

A motion was made by Plourde and seconded by Rizzo to adjourn the meeting at 10:09 a.m. Unanimous.