

# Minutes of the Maine Real Estate Commission Virtual Meeting

May 20, 2021

<b><u>MEMBERS PRESENT</u></b>	<b><u>STAFF PRESENT</u></b>
David Kitchen, Chair	Karen Bivins, Director
Edie Fontaine, Vice-Chair	Jeffrey Hill, Deputy Director
Donald Plourde	Bruce Osborne, Field Investigator
	Catherine Pendergast, Education Coordinator
	Kim Baker, Office Specialist I
<b><u>MEMBERS ABSENT</u></b>	Lisa Wilson, AAG
Gail Rizzo	

**Location:** Virtual      **Start:** 9:00 a.m.      **Adjourn:** 10:05 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 agreement in case numbers: 2021-REC-17377; and proposed dismissals in case numbers: 2018-REC-14405. Unanimous.

## **MINUTES REVIEW AND APPROVAL**

A motion was made by Fontaine and seconded by Kitchen to approve the minutes of the April 15, 2021 virtual meeting. Plourde abstained; Fontaine and Kitchen voted in the affirmative. Motion carried.

## **COMPLAINT PRESENTATIONS**

A motion was made by Plourde and seconded by Fontaine to approve the proposed consent agreements in case numbers: 2021-REC-17345 and 2021-REC-17377. Unanimous

A motion was made by Fontaine and seconded by Plourde to approve the proposed dismissals in case numbers: 2018-REC-14849 and 2019-REC-15420. Unanimous.

A motion was made by Kitchen and seconded by Plourde to table the complaint in case numbers: 2018-REC-14405. Unanimous.

## **ADJUDICATORY HEARING 2021-REC-17345 *Director v. Scott P. Lawliss***

Commission Chair Kitchen opened the hearing at 9:10 a.m. Mr. Lawliss 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 9:39 a.m.

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

A motion was made by Plourde and seconded by Fontaine to order the respondent to pay a fine of \$500.00 within 30 days. The 3 clock hours completed on April 2, 2021 may only be used for the February 2021 license renewal. Unanimous.

## **DIRECTOR'S REPORT**

The Director requested clarification of the Commission's policy regarding continuing education violations.

The Director reported that L.D. 1437 regarding hazardous materials is expected to be voted out of committee "Ought not to pass". The Department's bill, L.D. 149, authorizing the Director of OPOR to work with boards and commissions to assist applicants in obtaining and validating credentials, as well as recognizing licenses from other states, will likely pass.

The Commission will continue with its rules review to update to current practices in the coming months.

## **PUBLIC COMMENT**

None.

## **MEETING SCHEDULE**

The next meeting is currently scheduled for Thursday, June 17, 2021.

## **ADJOURNMENT**

A motion was made by Plourde and seconded by Fontaine to adjourn the meeting at 10:05 a.m. Unanimous.