

Minutes of the Maine Real Estate Commission Virtual Meeting

June 17, 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
	Catherine Pendergast, Education Coordinator
	Kim Baker, Office Specialist I
<u>MEMBERS ABSENT</u>	Lisa Wilson, AAG
Donald Plourde	

Location: Virtual **Start:** 9:00 a.m. **Adjourn:** 11:30 a.m.

CALL TO ORDER

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

AGENDA MODIFICATIONS

A motion was made by Fontaine and seconded by Rizzo to add the proposed dismissal in case number: 2018-REC-14405; proposed consent agreements in case numbers: 2021-REC-17472, 2021-REC-17474, 2021-REC-17511, and 2021-REC-17514; and Decision and Order in case number 2021-REC-17345. Unanimous

ADJUDICATORY HEARING 2021-REC-17378 Director v. Kenneth J. Knowles

Commission Chair Kitchen opened the hearing at 9:06 a.m. Mr. Knowles 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.

Mr. Osborne lost connectivity at 9:20 a.m. and returned to the meeting at 9:26 a.m.

Public deliberations were conducted at the close of the hearing at 9:41 a.m.

A motion was made by Rizzo and seconded by Fontaine that there was evidence to support the allegation in Count I pursuant to Commission Rules Chapter 370 Section 10(A) and its grounds for discipline under 10 M.R.S § 8003(5-A)(A)(5). Unanimous.

A motion was made by Fontaine and seconded by Rizzo to order the respondent to pay a fine of \$750.00 and to submit verification of successful completion of the "Core Course for Brokers and Associate Brokers – 4" within 30 days. The course may only be used for the March 2021 license renewal. Unanimous.

ADJUDICATORY HEARING 2021-REC-17442 Director v. Andrew K. M^cRichards

Commission Chair Kitchen opened the hearing at 9:47 a.m. Mr. M^cRichards 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.

Mr. M^cRichards was granted his request to provide his closing argument in writing within seven days. Public deliberations will be conducted at the next meeting scheduled for July 15, 2021 and the written Decision and Order will be reviewed at the meeting scheduled for August 19, 2021. The hearing was closed at 10:53 a.m.

The Commission took a five-minute break at 10:56 a.m.

MINUTES REVIEW AND APPROVAL

A motion was made by Fontaine and seconded by Rizzo to approve the minutes of the May 20, 2021 virtual meeting. Rizzo abstained; Fontaine and Kitchen voted in the affirmative. Motion carried.

COMPLAINT PRESENTATIONS

A motion was made by Fontaine and seconded by Rizzo to approve proposed consent agreements in case numbers: 2021-REC-17471, 2021-REC-17472, 2021-REC-17474 2021-REC-17475, 2021-REC-17511, and 2021-REC-17514. Unanimous.

A motion was made by Fontaine and seconded by Rizzo to approve the proposed dismissal in case number: 2018-REC-14405. Kitchen opposed; Fontaine and Rizzo voted in the affirmative. Motion Carried.

A motion was made by Fontaine and seconded by Kitchen to approve Decision and Order in case number 2021-REC-17345. Rizzo abstained; Fontaine and Kitchen voted in the affirmative. Motion carried.

DIRECTOR'S REPORT

The Director reported that the Department is moving toward having in person meetings again possibly by August.

The Director reviewed the Commission's policy regarding continuing education violations, fines, and consent agreements.

The Commission reviewed suggested edits Commission Rule Chapter 360 Section 3.6.

PUBLIC COMMENT

None.

MEETING SCHEDULE

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

ADJOURNMENT

A motion was made by Rizzo and seconded by Fontaine to adjourn the meeting at 11:30 a.m. Unanimous.