

Minutes of the Maine Real Estate Commission Virtual Meeting

October 15, 2020

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Gail Rizzo, Chair	Karen Bivins, Director
Edie Fontaine	Jeffrey Hill, Deputy Director
Donald Plourde	Bruce Osborne, Field Investigator
David Kitchen, Vice-Chair	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:** 9:04 a.m. **Adjourn:** 9:55 a.m.

CALL TO ORDER

The meeting was opened by Chair Rizzo at 9:04 a.m.

MINUTES REVIEW AND APPROVAL

A motion was made by Plourde and seconded by Fontaine to approve the minutes of the August 20, 2020 virtual meeting. Unanimous

AGENDA MODIFICATIONS

A motion was made by Kitchen and seconded by Fontaine to add to the agenda proposed dismissal in case number 2018-REC-14259. Unanimous.

Commission Chair Rizzo turned the meeting over to Assistant Attorney General Lisa Wilson to begin hearing proceedings.

ADJUDICATORY HEARING 2020-REC-16864

Director Maine Real Estate Commission v. Robin A. Wellman

Assistant Attorney General Lisa Wilson opened the hearing at 9:09 a.m. Robin Wellman was present but was not represented by an attorney. Bruce Osborne presented the Director's case.

Public deliberations were conducted at the close of the hearing at 9:35 a.m.

A motion was made by Plourde and seconded by Kitchen to find a violation in Count 1 pursuant to Maine Real Estate Commission Rules Chapter 370 Section 10(A) and 10 MRSA §8003(5-A)(A)(5). Unanimous.

A motion was made by Kitchen and seconded by Fontaine to order a fine of \$750 payable to Treasurer State of Maine within 30 days; the three-hour core course completed on June 17, 2020 may only be used for the June 2020 license renewal. Unanimous.

Hearing deliberations closed at 9:41 a.m.

DECISION AND ORDER

A motion was made by Kitchen and seconded by Plourde to approve the Decision and Order in the matter of case number 2019-REC-16237 Patrick K. McGowan as presented. Unanimous.

COMPLAINT PRESENTATIONS

A motion was made by Kitchen and seconded by Plourde to correct the agenda item listed as proposed consent agreement 2020-REC-16869 to 2020-REC-16969. Unanimous.

A motion was made by Plourde and seconded by Fontaine to approve the proposed consent agreements in case numbers: 2020-REC-16890, 2020-REC-16891, 2020-REC-16893, 2020-REC-16894, 2020-REC-16969. Unanimous.

A motion was made by Fontaine and seconded by Kitchen to approve the proposed dismissals in case numbers: 2018-REC-14892, 2020-REC-16377, and 2018-REC-14259. Unanimous.

DIRECTOR'S REPORT

The Director clarified the Commission's role in COVID-19 violation complaints submitted through the Department of Economic and Community Development (DECD) portal. Initial complaints are automatically responded to with an advisory letter to violators and are not investigated by PFR. Complaints filed with the Commission will be treated as any other complaint, with responses requested and investigations conducted.

PUBLIC COMMENT

None.

MEETING SCHEDULE

The next meeting is currently scheduled for Thursday, November 5, 2020.

ADJOURNMENT

A motion was made by Kitchen and seconded by Plourde to adjourn the meeting at 9:55 a.m. Unanimous.