

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
221 State Street, Augusta, Maine

MAINE BOARD OF REAL ESTATE APPRAISERS
VIRTUAL BOARD MEETING
March 7, 2023
MINUTES

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Wendy Boston, Chair	Cathy Pendergast, Administrator
Nathan Shipley, Vice-Chair	Andrew Black, Assistant Attorney General
Alan Johnson, Complaint Officer	Regina Ritchie, Licensing Supervisor
Russell Barrows	Misty Robinson, Office Specialist I
Jacques Weinstein	Elizabeth Moulton, Office Specialist I
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>

Location: 32 Blossom Lane, Augusta, ME Start: 9:07 a.m. Adjourn: 12:06 p.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 9:07 a.m.

II. AGENDA MODIFICATIONS

None.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Barrows and seconded by Shipley to approve the February 7, 2023 minutes as presented. Unanimous.

IV. ADJUDICATORY HEARING

2021-REA-17841 Scott A. Callahan

Hearing officer Rebekah Smith opened the hearing at 9:11 a.m. Scott A. Callahan was present but was not represented by counsel. The Director was present. AAG Katie Johnson presented the Director's case.

Public deliberations were conducted at the close of the hearing.

1. A motion was made by Johnson and seconded by Shipley that a preponderance of the evidence proved a violation pursuant to 32 M.R.S. § 14014-A(7). Unanimous;
2. A motion was made by Johnson and seconded by Shipley that a preponderance of the evidence proved a violation pursuant to 32 M.R.S. § 14014-A(8). Unanimous;
3. A motion was made by Johnson and seconded by Shipley that a preponderance of the evidence proved a violation pursuant to 10 M.R.S. § 8003(5-A)(A)(4), for violating a governing law of the Board, specifically 32 M.R.S. § 14028 by failing to comply with standards established by the Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule 1-1(a); USPAP Standards Rule 1-1(b); USPAP Standards Rule 1-1(c); USPAP Standards Rule 1-4(a); and USPAP Standards Rule 1-4(c)(i). Unanimous.

A motion was made by Johnson and seconded by Shipley that the Decision and Order is to include a Reprimand, a 270-day license suspension (90-day minimum required), a civil penalty in the amount of \$1,500.00, and require successful completion of two courses with exams from the Appraisal Institute: 30-hour Residential Sales Comparison and Income Approaches, and a 15-hour National USPAP Course. If the licensee completes the courses required by the Board under the terms of their suspension

prior to the end of the 270-day suspension; the suspension shall end upon course completion and shall be amended to reflect a suspension end date corresponding to the completion of the required coursework, with minimum suspension of 90 days required. The licensee shall pay the \$1,500 fine within the 30 days of the finalization of the Decision and Order.

A motion was made by Johnson and seconded by Weinstein to renew Mr. Callahan's license. Unanimous.

A motion was made by Barrows and seconded by Johnson to allow Real Estate Appraisers Chair Wendyann Boston to sign the Decision and Order when it is written. Unanimous.

V. COMPLAINT PRESENTATIONS

None

VI. APPLICATION REPORT

Reviewed by the Board Members.

VII. ADMINISTRATOR'S REPORT

The administrator discussed with the Board the status of the 131st Legislative Session as it pertains to this Board. No action was taken.

The administrator discussed with the Board a letter of appreciation to be sent to a previous Board Member. No action was taken.

VIII. PUBLIC COMMENT

None.

IX. MEETING SCHEDULE

The next meeting is currently scheduled for April 4, 2023.

X. ADJOURN

A motion was made by Barrows and seconded by Weinstein to adjourn the meeting. Unanimous.

Being no further board business, the meeting was adjourned at 12:06 p.m.