

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
May 2, 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	Jen Maddox, Board Clerk
Jacques Weinstein	
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>

Location: 221 State Street, Augusta, ME **Start:** 9:23 a.m. **Adjourn:** 12:38 p.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 9:23 a.m.

II. AGENDA MODIFICATIONS

A motion was made by Weinstein and seconded by Barrows to add an introduction of the Board's new AAG, John Belisle to the meeting and an email from Scott Callahan to the administrator's report. Unanimous.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Weinstein and seconded by Shipley to approve the April 4, 2023 minutes as presented. Unanimous.

IV. COMPLAINT PRESENTATIONS

2022-REA-18386 – A motion was made by Barrows and seconded by Shipley to offer a consent agreement for violation of 32 M.R.S. § 14014-A for lacking trustworthiness and competency to conduct real estate appraisal activity on a manner that safeguards the public. Sanctions include suspension until licensee is evaluated by a physician, is found fit to perform appraisals to the Board's satisfaction and has a treatment plan in place. Probation for one year and must adhere to treatment plan. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18616 – A motion was made by Shipley and seconded by Weinstein to dismiss. Boston, Shipley and Weinstein affirmative. Barrows recused. Johnson abstained. Motion carried.

2022-REA-18658 – A motion was made by Shipley and seconded by Barrows to dismiss. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18700- A motion was made by Barrows and seconded by Shipley to dismiss with a letter of guidance to licensee. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18719- A motion was made by Shipley and seconded by Barrows to dismiss with a letter of guidance to licensee. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18752- A motion was made by Barrows and seconded by Shipley to dismiss with a letter of guidance to licensee. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18756- A motion was made by Barrows and seconded by Shipley to offer a consent agreement for violations of USPAP Standards 1 & 2 to suspend license for a minimum of 60 days or until licensee successfully completes the 28 Hour Sales Comparison and Income Approaches Course and 15 Hour USPAP Course with exams. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18814- A motion was made by Shipley and seconded by Barrows to dismiss with a letter of guidance to licensee. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18817 & 18887- A motion was made by Barrows and seconded by Shipley to offer a consent agreement for violations of Standard 1, 2-2(a)(i), (ii), (iv), (x) and (xii). Sanctions include a reprimand, minimum 90 day suspension or until completion of continuing education 30-hour Sales Comparison and Income Approaches; 15-hour USPAP; 30-hour Basic Appraisal Principles; 30-hour Basis Appraisal Procedures; and 15-hour Residential Appraiser Site Valuation and Cost Approach all with successful completion of exams. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2023-REA-18885- A motion was made by Barrows and seconded by Shipley to dismiss. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2023-REA-18936- A motion was made by Shipley and seconded by Barrows to dismiss. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2023-REA-18945- A motion was made by Barrows and seconded by Weinstein to table to gather further evidence from licensee. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

2022-REA-18041- A motion was made by Barrows and seconded by Shipley to offer a consent agreement for violations of USPAP Competency Rule; USPAP Record Keeping Rule; and USPAP Standard 2-2 (a)(xiii). Sanctions include a Censure and successful completion of the 15 Hour USPAP Course with exam within 30 days. Barrows, Shipley, Weinstein and Boston affirmative. Johnson abstained. Motion carried.

V. ADMINISTRATOR'S REPORT

The Administrator shared the dashboard results from the Appraisal Subcommittee to be published by the PAVE Task Force outlining state requirements that exceed the Real Property Appraiser Qualification Criteria.

The Board responded to an email request for clarification regarding an online proctor for a required course.

VI. PUBLIC COMMENT

None.

VII. MEETING SCHEDULE

The next meeting is currently scheduled for Tuesday, June 6, 2023.

VIII. ADJOURN

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

Being no further board business, the meeting was adjourned at 12:38 p.m.