

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
76 Northern Avenue, Gardiner, Maine

MAINE BOARD OF REAL ESTATE APPRAISERS
VIRTUAL BOARD MEETING
May 3, 2022
MINUTES

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Wendy Boston, Chair	Cathy Pendergast, Administrator
Alan Johnson	Andrew Black, Assistant Attorney General
Joe Herlihy, Complaint Officer	Misty Robinson, Office Specialist I
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>
Nathan Shipley	

Location: Virtual Meeting Via Zoom Meeting

Start: 9:00 a.m.

Adjourn: 11:05 a.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 9:00 a.m.

II. AGENDA MODIFICATIONS

None.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Johnson and seconded by Herlihy to approve the April 5, 2022 minutes as presented. Unanimous.

IV. COMPLAINT PRESENTATIONS

2022-REA-18069 – A motion was made by Johnson and seconded by Boston to table this complaint for the June 7, 2022 Board Meeting. Boston and Johnson voted affirmative. Herlihy abstained. Motion carried.

2022-REA-18088 – A motion was made by Johnson and seconded by Boston to dismiss the complaint for lack of evidence of a violation. Boston and Johnson voted affirmative. Herlihy abstained. Motion carried.

2022-REA-18089 – A motion was made by Johnson and seconded by Boston to dismiss the complaint for lack of evidence of a violation. Boston and Johnson voted affirmative. Herlihy abstained. Motion carried.

2022-REA-18120 – A motion was made by Boston and seconded by Johnson to offer a consent agreement for violating USPAP Standards Rule 1-1 (a)(b) and (c) and Competency Rule. The consent agreement is to include a censure and require successful completion of two courses with exams from the Appraisal Institute: 30-hour basic appraisal principles course and 30-hour basic appraisal procedures course. The licensee shall complete the required courses within 6 months of the finalization of the consent agreement. Boston and Johnson voted affirmative. Herlihy abstained. Motion carried.

V. APPLICATION REPORT

Reviewed by the Board Members.

VI. ADMINISTRATOR'S REPORT

The administrator discussed with the Board a confidential licensing issue. A motion was made by Johnson and seconded by Boston to license the applicant. Unanimous.

The administrator discussed with the Board review of Rules Chapters 220 - 240. Kristen Racine, staff attorney for the Office of Professional and Occupational Regulation, addressed the Board regarding procedures to formalize rule changes. The Board discussed the requirement of a 30-day written comment period as part of the process. A motion was made by Boston and seconded by Johnson to direct staff to initiate rulemaking under the Maine Administrative Procedures Act for the proposed rule changes to Chapters 220 and 230. Unanimous.

VII. PUBLIC COMMENT

Stephen Sousa spoke regarding the proposed changes to Chapter 220.

VIII. MEETING SCHEDULE

The next meeting is currently scheduled for June 7, 2022.

IX. ADJOURN

A motion was made by Herlihy and seconded by Johnson to adjourn the meeting. Unanimous.

Being no further board business, the meeting was adjourned at 11:05 a.m.