

Minutes of the Maine Real Estate Commission

October 16, 2014

MEMBERS PRESENT	STAFF PRESENT
David Kitchen, Chairman	Karen Bivins, Director
Donald Plourde	Robert Perkins, Assistant Attorney General
Adam Shub	Jeffrey Hill, Deputy Director
Joan Chrane	Catherine Pendergast, Education Coordinator
	Kim Baker, Office Specialist I
	Deborah Fales, Office Specialist I
MEMBERS ABSENT	
None	

Location: Central Conference Room **Start:** 9:04 a.m. **Adjourn:** 11:11a.m.

Agenda Modifications

A motion was made by Plourde and seconded by Shub to add the Proposed Consent Agreement 2014-REC-10171 to the agenda.

Commission Minutes

A motion was made by Plourde and seconded by Chrane to approve the minutes of the September 18, 2014. Unanimous.

Hearings

Shub recused and left the room.

Commission Chair David Kitchen opened the hearing at 9:30 a.m. in the matter of **Director v. Kari J. Davis**.

Davis was present but was not represented by an attorney. The Director was present and represented by Assistant Attorney General Robert Perkins. Public deliberations were conducted at the close of the hearing.

A motion was made by Plourde and seconded by Chrane to find Davis in violation of 10 M.R.S.A. §8003(5-A)(A)(9). Shub recused; Chrane, Kitchen and Plourde voted in the affirmative. Motion carried.

A motion was made by Chrane and seconded by Plourde to suspend the respondent's associate broker license for a period of 90 days beginning 30 days after she receives the written order in this matter and to impose a \$900 fine payable on or before December 1, 2014. Shub recused; Chrane, Kitchen and Plourde voted in the affirmative. Motion carried.

Shub returned to the room.

Commission Chair David Kitchen opened the hearing at 10:44 a.m. in the matter of **Director v. Marshall J. Swain**.

Swain was not present and was not represented by an attorney. The Director was present and represented by Assistant Attorney General Robert Perkins. Public deliberations were conducted at the close of the hearing.

A motion was made by Shub and seconded by Plourde to find Swain in violation of 10 M.R.S.A. §§8003(5-A)(A)(1), (4) and (5); 32 M.R.S.A. §§13067-A(2), 13197(1) and (3); and Chapter 370 Section 10(A) of the Maine Real Estate Commission Rules. Unanimous.

A motion was made by Plourde and seconded by Chrane to immediately revoke the respondent's associate broker license. Unanimous.

The hearing in the matter of **Director v. Susan L. Chase** was cancelled upon acceptance of the Proposed Consent Agreement in case number 2014-REC-10171.

Proposed Consent Agreements

Shub recused and left the room.

A motion was made by Plourde and seconded by Chrane to accept the Proposed Consent Agreements in the following case numbers: 2013-REC-9550 and 2014-REC-10510. Shub recused; Chrane, Plourde and Kitchen voted in the affirmative. Motion carried.

Shub returned to the room.

A motion was made by Plourde and seconded by Chrane to accept the Proposed Consent Agreement in case number 2014-REC-10171. Unanimous.

Proposed Dismissals

None

Request for Extension

None

Director's Report

The Commission was updated on the initial presentations of the new core courses.

The investigator position has been re-opened to begin the application process.

Meeting Dates

The next regularly scheduled meeting will be Thursday, November 20, 2014.

Adjournment

The meeting adjourned at 11:11 a.m.

This report respectfully submitted,
Kim Baker, Office Specialist I