

**MAINE BOARD OF REAL ESTATE APPRAISERS  
BOARD MEETING  
February 04, 2014**

**MINUTES**

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**MEMBERS PRESENT**

WendyAnn Boston, Chair  
William Dobrowolski, Vice Chair  
Joseph Herlihy, Complaint Officer  
Bruce Bell  
Theodore Webersinn  
Alan Johnson  
Kenneth Charest

**MEMBERS ABSENT**

**STAFF PRESENT**

Carol Leighton, Administrator  
Kim Baker, Office Specialist I  
Andrew Black, Assistant Attorney General  
Cathy Pendergast, Education Coordinator  
Deborah Fales, Office Specialist I  
Karen Bivins, Deputy Director MREC

**Location: Central Conference Room**

**Start: 9:02 a.m.**

**Adjourn: 10:30 a.m.**

**CALL TO ORDER**

The meeting was called to order at 9:02 a.m. by the Board's Chair, WendyAnn Boston.

**AGENDA MODIFICATIONS**

**OLD BUSINESS**

**Action on Minutes of December 3, 2013 Meeting**

A motion was made by Dobrowolski to approve the minutes of the December 3, 2013 meeting as written; seconded by Webersinn. Boston, Dobrowolski, Herlihy, Bell, Johnson and Webersinn voted in the affirmative; Charest Abstained. Motion carried.

**NEW BUSINESS**

**Election of Officers**

A motion was made by Bell to elect Wendy Boston as Chair, William Dobrowolski as Vice-Chair, and Joseph Herlihy as Complaint Officer; seconded by Johnson. Unanimous.

**Administrator's Report**

1. Beaupain Continuing Education Disclosure – A motion made by Webersinn and seconded by Dobrowolski to send a letter to inform licensee that CE should be completed prior to submitting a renewal and that CE completed on January 1<sup>st</sup>, 2014 may only be used for 12/31/2013 renewal term. Unanimous.
2. The Board discussed the email from board member Alan Johnson.
3. Letter from Matthew Robbins – AAG Andrew Black has spoken with complainant; no further action was taken by the Board.

4. Update on L.D. 1724 – Testimony to be given by the Realtors Association; proposed amendments will be presented to be in compliance with 2015 Criteria changes; New Trainee and Supervisor training course becomes mandatory January 1, 2015; Maine does not currently have a course available.
5. 2013 REA Case Statistics were presented.

### **Complaint Officer's Report**

1. Complaint Presentation 2013-REA-9508 – A motion was made by Webersinn to dismiss; seconded by Dobrowolski. Boston, Bell, Charest, Dobrowolski, Johnson and Webersinn voted in the affirmative; Herlihy abstained. Motion Carried.
2. Complaint Presentation 2013-REA-9571 – A motion was made by Dobrowolski and seconded by Charest to find a violation of 32 MRS §§§14014-A (2), (7),and (8); 10 MRS §8003(5-A)(A)(5); Board Rules240 §1; and the following USPAP Standards: Ethics Rule Conduct under bullet points 5,6 and 11; Standards Rule 1-1(a), (b) and (c); Standards Rule 2-1(a), (b) and (c); and Standards Rule 2-3. Boston, Bell, Charest, Dobrowolski, Johnson and Webersinn voted in the affirmative; Herlihy abstained. Motion Carried.

A motion was made by Bell and seconded by Webersinn to offer a consent agreement to include a reprimand and license revocation. Boston, Bell, Charest, Dobrowolski, Johnson and Webersinn voted in the affirmative; Herlihy abstained. Motion Carried.

3. Complaint Presentation 2013-REA-9573 – A motion was made by Webersinn and seconded by Charest to find a violation of 32 MRS §§§14014-A (2), (7),and (8); 10 MRS §8003(5-A)(6); Board Rules240 §1; and the following USPAP Standards: Ethics Rule; Competency Rule; Scope of Work Rule; Standards Rule 1; and Standards Rule 2. Boston, Bell, Charest, Dobrowolski, Johnson and Webersinn voted in the affirmative; Herlihy abstained. Motion Carried.

A motion was made by Webersinn and seconded by Dobrowolski to offer a consent agreement to include a reprimand; a 6 month suspension; continuing education to include a 15 hour USPAP course and a 15 hour course on residential market analysis and highest and best use to be completed within 6 months and not to be used for the 2014 license renewal; and a fine of \$4500. Boston, Bell, Charest, Dobrowolski, and Webersinn voted in the affirmative; Johnson opposed; Herlihy abstained. Motion Carried.

4. Complaint Presentation 2013-REA-9653 - A motion was made by Dobrowolski to dismiss; seconded by Webersinn. Boston, Bell, Charest, Dobrowolski, Johnson and Webersinn voted in the affirmative; Herlihy abstained. Motion Carried.
5. A motion was made by Dobrowolski and seconded by Webersinn to accept the proposed letters of guidance in case numbers 2013-REA-9363 and 2013-REA-9407. Boston, Bell, Dobrowolski, Johnson and Webersinn voted in the affirmative; Herlihy and Charest abstained. Motion Carried.

## **Review and Action on Applications**

A motion was made by Dobrowolski and seconded by Bell to approve the following reciprocal applications: Gary Nolen, Beatrice James-Cockrel, James Martin, Gary James, Scott Fowler, and Rita-Marie Riley. Unanimous.

A motion was made by Dobrowolski and seconded by Charest to deny the application for licensure for William Miller pursuant to M.R.S. §§14014-A(11). Unanimous.

A motion was made by Charest and seconded by Dobrowolski to approve the following applications real property appraiser trainees: Eric Hjelm, Jeremy Mirick, John Keane, and Daniel Loan. Unanimous.

## **Correspondence**

None

## **OTHER BUSINESS**

The meeting scheduled for March 4, 2014.

## **ADJOURN**

Being no further board business the meeting was adjourned at 11:10 a.m.

Respectfully submitted,  
Kim Baker, Board Clerk