

# Minutes of the Maine Real Estate Commission

November 19, 2015

<b><u>MEMBERS PRESENT</u></b>	<b><u>STAFF PRESENT</u></b>
Adam Shub, Chairman	Karen Bivins, Director
David Kitchen	Jeffrey Hill, Deputy Director
Donald Plourde	Bruce Osborne, Field Investigator
Joan Chrane	Catherine Pendergast, Education Coordinator
Cathy Manchester	Kim Baker, Office Specialist I
	Deborah Fales, Office Specialist I
<b><u>MEMBERS ABSENT</u></b>	Robert Perkins, AAG
None	

**Location:** Central Conference Room

**Start:** 9:01 a.m.

**Adjourn:** 11:00 a.m.

## **Agenda Modifications**

A motion was made by Plourde and seconded by Kitchen to add the following to the agenda:

1. Proposed Dismissal: 2015-REC-11089
2. Request for Extension from Julia Bassett Schwerin dated 11/16/2015

## **Commission Minutes**

A motion was made by Kitchen and seconded by Chrane to approve the minutes of the October 15, 2015 meeting. Manchester and Chrane recused; Plourde, Kitchen and Shub voted in the affirmative. Motion carried.

## **Decisions And Orders**

None

## **Proposed Consent Agreements**

None

## **Proposed Dismissals**

A motion was made by Plourde and seconded by Chrane to accept the Proposed Dismissal in case numbers: 2015-REC-10981, 2015-REC-11112. Unanimous.

Shub recused and left the room.

A motion was made by Kitchen and seconded by Manchester to accept the Proposed Dismissal in case numbers: 2015-REC-11089. Shub recused; Chrane, Manchester, Kitchen and Plourde voted in the affirmative. Motion Carried.

Shub returned to the room.

## **Requests for Extension**

Shub recused and left the room.

A motion was made by Manchester and seconded by Kitchen to grant a 60 day extension to January 18, 2016 for Julia Bassett Schwerin. After discussion, the motion was amended by Manchester and seconded by Kitchen to grant a 90 day extension, but to include language that licensee may be subject to further discipline if she is not in compliance by February 15, 2016. Shub recused; Chrane, Manchester, Kitchen and Plourde voted in the affirmative. Motion Carried.

Shub returned to the room.

## **Hearings**

Commission Chair Adam Shub opened the hearing at 9:34 a.m. in the matter of **Director v. Derek P Eisenberg**. Mr. Eisenberg was 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 Kitchen and seconded by Chrane to find a violation in Count 1 pursuant to 10 M.R.S.A §§8003(5-A)(A)(4) and (5); and 32 M.R.S.A §§13197(1) and (3); and Chapter 370 Section 10(A) of the Maine Real Estate Commission Rules. Unanimous.

A motion was made by Kitchen and seconded by Chrane to order Respondent to pay a fine of \$800.00; and to submit a certificate certifying completion of the correct core course: "Core Course for Designated Brokers – 1", to fulfill the continuing education requirements for the license renewed on 06/22/2015. This course may not be used for the next license renewal. Both the fine and completion certificate to be submitted within 30 days. Unanimous.

## **Meeting Dates**

The next meeting is scheduled for Thursday, December 17, 2015.

## **Adjournment**

The meeting adjourned at 11:00 a.m.

This report respectfully submitted,  
Kim Baker, Office Specialist I