

Law changes that will take effect

November 1, 2017



The legislature has passed a bill changing a number of statutes to “clean up” some issues within OPOR (Office of Professional and Occupational Regulation) statutes. Some of those changes were made within Title 32 which is included in this text. The changes we are aware of are included on this supplemental sheet. Please note these do not take effect until November 1, 2017. Abbot Village Press will update this text when the Revisor’s Office publishes all changes, typically in October.

(Page 5) 32 MRSA §13067-A, sub-§9 is amended to read:

9. Suspension or revocation of license. Having had a professional or occupational license ~~suspended or revoked for disciplinary reasons or an application rejected for reasons related to untrustworthiness within 3 years prior to the date of application~~ or had a professional or occupational license suspended or revoked for disciplinary reasons; and

(Page 10) 32 MRSA §13180 is amended to read:

When any broker, associate broker or real estate sales agent is discharged or terminates his employment with a brokerage agency, it shall be the duty of the designated broker to ~~shall immediately deliver the license of the broker, associate broker or real estate sales agent to the commission. The designated broker shall simultaneously address—send~~ a communication to the last known address of the broker, associate broker or sales agent advising the broker, associate broker or sales agent ~~that his license has been delivered or mailed to the commission~~ that the commission has been notified. ~~A~~ The designated broker shall deliver a copy of the communication ~~shall accompany the license when delivered to the commission.~~

Upon receipt of the notice of termination by the licensee, the license ~~shall become~~ is void and may only be reinstated or placed on inactive status after proper application and payment of the prescribed fee. It is unlawful for any broker, associate broker or real estate sales agent to perform any brokerage services without first receiving a new active license.

(Page 11) 32 MRSA §13182 is further amended to read:

Agency licenses expire on December 31st, or at such times as the Commissioner of Professional and Financial Regulation may designate, of each biennial period for which it was issued. Upon application and payment of the fee as set under section 13007, a renewal license is issued for each ensuing biennial period in the absence of any reason or condition that might warrant denial of a license. The suspension, revocation or expiration of an agency or designated broker’s license automatically ~~suspends voids~~ every license granted to any person by virtue of the person’s employment by the agency whose license has been suspended, revoked or expired pending a change of employer and the issuance of a new license. The new license is issued without charge

if granted during the same biennial period in which the original was granted.

(Page 11) 32 MRSA §13183 is amended to read:

An agency, through its designated broker, may perform all of the brokerage services contemplated by this chapter and may employ or retain others to perform brokerage services on behalf of the agency. The designated broker may also delegate any of ~~his~~ the designated broker’s duties and authority provided for under this chapter to an agency affiliate, but when doing so ~~shall~~ is not be relieved of any responsibility imposed by this chapter.

(Page 13) 32 MRSA §13193 is further amended to read:

In lieu of education and experience requirements, nonresident original license applicants must hold a similar active license in good standing in ~~their place of legal residence~~ another jurisdiction and ~~shall~~ must appear at such time and place as the director may designate for the purpose of written examination pertaining to Maine real estate laws.

(Page 15) 32 MRSA §13198, sub-§3 is further amended to read:

3. Acts authorized. Each broker license granted entitles the holder to perform all of the acts contemplated under this chapter on behalf of an agency, including being designated by the agency to act for it ~~or as a branch office manager.~~

(Page 15) 32 MRSA §13199, sub-§3 is further amended to read:

3. Acts authorized. Each associate broker license granted entitles the holder to perform all of the acts contemplated by this chapter, on behalf of an agency, ~~except serving as a designated broker or a branch office manager.~~

Source for this information:

http://legislature.maine.gov/legis/bills/bills_128th/chapters/PUBLIC210.asp

(see other side)

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