

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 111 - L.D. 170

**An Act to Clarify the Authority of the Director of the Real Estate  
Commission to Investigate Complaints**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 32 MRSA §13069, sub-§6**, as amended by PL 2007, c. 402, Pt. BB, §15, is repealed and the following enacted in its place:

**6. Investigations.** The director may, in accordance with this subsection, investigate the actions of any licensee under this chapter, or any person or entity that assumes to act in a capacity requiring a license under this chapter, upon receipt of a written complaint or in accordance with the guidelines prescribed by the commission by rule.

A. If the director receives a written complaint under this subsection, the director shall review the complaint to determine whether the complaint describes a violation of law or rule that is within the authority of the commission to enforce. If the director determines that a complaint does not describe a violation of law or rule that is within the authority of the commission to enforce, the director shall notify the person who submitted the complaint of this determination. If the director determines that the complaint does describe a violation of law or rule that is within the authority of the commission to enforce, the director shall investigate the actions described in the complaint.

B. If the director undertakes an investigation under this subsection, either of a written complaint or in accordance with guidelines prescribed by the commission by rule, the director shall, upon completion of the investigation, take one of the following actions:

- (1) With the commission's approval, dismiss the complaint;
- (2) With the consent of the parties and subject to approval of the commission and commission counsel, execute a consent agreement; or
- (3) Issue a staff petition for hearing before the commission, which may include a recommended disposition.