

**Executive Summary**  
**Regulatory Council of Community Association Managers**  
**Conference Call Meeting**  
**October 20, 2003**  
**10:30 a.m.**

**CALL TO ORDER**

Reginald Billups called the meeting to order at 10:36 a.m.

**The following members were present:**

Reginald Billups, Council Chair  
Marilyn Battista, Vice-chair Member  
Chris Brown, Council Member  
Steve Czonstka, Council Member  
Debra Glass, Council Member  
Edith Yates, Council Member  
Lianne Acebo, Deputy Secretary, DBPR  
Barbara Edwards, Assistant Attorney General  
Julie Malone, Executive Director, DBPR  
Donna Salters Thomas, Government Analyst, DBPR  
Charlie Pellegrini, Assistant General Counsel  
Jim Greer, Gulf Coast Professional School  
Mark Benson, Florida Community Association Managers Alliance  
Fred Gray, Gray Systems  
Bill Carter, COMA of Florida  
Molly Foley-Healy, Community Associations Institute  
Pat Ernst, Division of Professions & Regulation  
Rose Coster, Division of Professions & Regulation  
Dawn Berman, NBC CAM  
Bill Carter, Promo Florida  
Nina Vandell, Florida Community Association Managers Alliance  
Ron Safford, Alternative Dispute Resolution, DBPR

**Approval of Minutes**

- July 11, 2003 minutes were approved with corrections: 1) Steve Czonstka and Edith Yates are serving with expired terms, 2) reference “council” rather than “board”, 3) meeting was noted for October 10<sup>th</sup>, rather than 20<sup>th</sup>

**MAJOR ISSUES**

- There was a discussion regarding the development of rules to allow the Council to issue citations, reprimands and notices of non-compliance to CAM licensees for minor violations. Mr. Czonstka and Mr. Brown will work independently with Ms. Edwards and Ms. Malone to provide recommendations on writing rules for the violations. Mr. Wilson will provide a list to the committee on violations that require timely investigations
- Ms. Malone reported that computer based testing is available and results are provided immediately. She also reminded the council to carefully dispose of agenda information.
- Mrs. Edwards will draft a rule to be in compliance with Chapter 455, F. S regarding renewals for spouses in the military.

- A report was provided on the \$200 assessment in the 2002 renewal cycle.
- Rule 61-20.508 (1) F.A.C. permits eight hours of continuing education to be completed by correspondence, interactive, distance education or on the internet became effective July 21, 2003
- Rule 61-20.504 (2) F.A.C., finger print processing fee increase rule notice was published September 5, 2003 and is awaiting adoption.
- Sam Mackie, P.A petition for a declaratory statement regarding Chapter 468.431(2)(3), F.S. was denied.
- Ms. Edwards submitted the October 2003 report on Council activities to the legislature.
- Ms. Edwards instructed the Council to began looking at rules and statutes to submit to Legislature
- In the department attorney report, Mr. Pellegrini's suggested that the Council gather rules from other boards regarding discipline concerning notices of non-compliance and citations.
- Ms. Yates mentioned the proposal of a fee increase for the 2005 - 2006 legislative session. It was noted that the best way to pursue a fee increase is to allow a support organization to draft the legislation.
- Mr. Billups addressed the move from being a Council to becoming a Board
- Ms. Edwards recommended that Secretary Carr attends the next meeting

### **Regulation Report**

- Mr. Patrick Ernst provided two sets of corrections from the first calendar quarter, January 1- March 31, 2003 and the second represents complaints from January 1st to September 30<sup>th</sup>, 2003. First quarter corrections are: 71 complaints; 35 legally sufficient complaints; 19 complaints were licensed, 16 were unlicensed; 23 investigations were completed and 33 cases were assigned.
- The second quarter corrections are: 235 complaints; 99 were legally sufficient, 70 cases were licensed, 29 were unlicensed, 70 investigations were completed and 90 cases were assigned.

### **Chairman Report**

- Mr. Billups requested a comparative report of the complaints from the past two years
- Mr. Billups reported his satisfaction with the Board Member Training Workshop September 30 – October 1, 2003.
- Ms. Acebo informed the Council that the training is one of the first mandates of Secretary Diane Carr for the department boards and will be done regionally.
- Mr. Wilson told the Council that the training presentation is available on video and will be available on CD for board members.
- Mr. Billups and Ms. Battista reported that Secretary Carr informed them that the department is not pushing for deregulation of CAMs.

### **Mediation Report**

- Ron Safford reported on the \$211 cost of mediation compared to \$1225 cost of investigation
- He indicated that to make consumer recovery, the legal sufficiency must have been found and some economic harm or that the licensee can remedy the case.
- Mr. Safford submitted a copy of the rules on mediation to Ms. Malone. Ms. Malone will provide a copy of these rules to the Council.
- Mr. Safford recommended that the Council look at trying to adopt a rule similar to the departments meeting,
- Mr. Benson will provide information to the Council from the meetings of the task force and select committee. The Council will use the information to make recommendations to the Legislature.

### **Next Meeting**

- The next meeting is scheduled for January 23, 2004 at 10:30 a.m. in Tallahassee.
- The meeting was adjourned at 12:15 p.m.

## **ACTION ITEMS**

- Ms. Malone will provide the rate of renewal report and an update on the original projections for the end of June 30, 2003 fiscal year.
- Ms. Malone will gather rules from other boards concerning notices of non-compliance and citations and provide to Mr. Brown, Mr. Czonstka, and Ms. Edwards
- Ms. Malone will distribute information from the Task Force and Select Committee to the Council
- Ms. Edwards will send a letter to Sam Mackie, P.A. concerning his denial for declaratory statement for Chapter 468.431 (2) (3), F.S
- Ms. Edwards, Mr. Pellegrini and Mr. Safford will work on creating language for the rule changes for mediation
- Mr. Safford submitted a copy of the rules on mediation to Ms. Malone. Ms. Malone will provide a copy of these rules to the Council.
- Mr. Czonstka and Mr. Brown will work individually to provide recommendations on writing rules for violations.
- Mr. Benson will provide to Ms. Malone the copies of the presentation to the select committee and task force to be included in the next agenda for consideration.
- Regulation will provide a comparative report of complaints for the last two years.
- Mr. Wilson will provide a list to the committee on violations that require timely investigations