

**Meeting of  
Regulatory Council for  
Community Association Managers**

Department of Business and Professional Regulation  
Conference Call Meeting  
Conference: 1.888.808.6959. Conference Code 4879597  
Friday, November 19, 2010 @ 10:30am est.

**General Business**

**CALL TO ORDER**

The meeting was called to order at 9:02am by Ms. Patricia Rogers, Council Chair. The meeting was opened with the roll call and a quorum was established.

**ROLL CALL** (Council Members)

Patricia Rogers, Chair  
Kelly Moran, Vice Chair  
David Beswick  
Terence Brennan  
Margaret A. Rogers  
Dawn Warren

**STAFF PRESENT**

Anthony B. Spivey, Executive Director  
Renese Jones, Government Analyst  
Dror Lewy, Assistant Attorney General  
Jody Lane, Prosecuting Attorney  
Tim Vaccaro, Director of the Division of Professions.

**OTHERS PRESENT**

Fred Gray  
Monica Pilky

*Opening Remarks:* Each individual should state their first and last name before speaking.

**REVIEW AND APPROVAL OF THE MINUTES FROM THE AUGUST 13, 2010 MEETING**

**MOTION:** Kelly Moran moved to approve the minutes.

**SECOND:** David Beswick seconded the motion and it passed unanimously.

## **CHAIR REPORT**

Ms. Patricia Rogers, welcomes all participants and requests that there be no cross talking and that participants only address the items on the agenda during the meeting.

## **COUNCIL COUNSEL REPORT**

### **1. Rules Report:**

#### 61E14-2.001 Standards of Professional Conduct

- David Beswick moved to approve the new language in the (last line) of sub-section 5 stating, "A licensee may be held responsible by the department for the actions of all persons who perform community Association Management related functions under his or its supervision or control if the licensee knew, or should have known of his subordinate's conduct." Kelly Moran seconded the motion. Motion then passed, unanimously.

#### 61E14-1.001 Pre-licensure Education Requirements

- Kelly Moran moved to strike out the hardship language in 61E14-4.001. Dawn Warren seconded the motion. Motion then passed, unanimously.
- Kelly Moran moved to approve amendments to 61E141.001 with a stipulation that the new rule would become effective 180 days after the adoption of the rule. David Beswick seconded the motion. Motion then passed, unanimously.

#### 61E14-4.001 Continuing Education Renewal Requirements

- Kelly Moran moved to pass the amendments to 61E14-4.001 to include the addition of 10 hours of continuing education for any applicant who becomes licensed with more than half the renewal period remaining and no continuing education for applicants who become licensed with less than half of the renewal period remaining. David Beswick seconded the motion. Motion then passed, unanimously.

**2. Mr. Howard Hochman ~ Motion for Award of Attorney Fees.**

Kelly Moran moved to approve the joint stipulation regarding the petitioner's motion for award of attorney's fees at \$4500.00 to be paid within thirty days. David Beswick seconded the motion. Motion then passed, unanimously.

**3. Supplemental info regarding: Blanco vs. DBPR Rule Challenge Case**

David Beswick moved to accept Dror Lewy's statement that he will return at the next board meeting with new language to rule 61E14-2.001 "Standards of Professional Conduct". Kelly Moran seconded the motion. Motion then passed, unanimously.

**PROSECUTING ATTORNEY'S REPORT**

Ms. Lane provided an updated statistical report on the prosecution and regulation of CAMs report to the members.

The Council requested that changes be made to the report such as, adding addresses of licensees, etc.

**EXECUTIVE DIRECTOR**

Mr. Spivey provided the committee with the September 30, 2010 financial statements as follows:

Operating Account - \$594,315

Unlicensed Activity Account - \$74,802

**COUNCIL INFORMATION**

1. The Council had considerable discussion on the National Board of Certification for Community Association Managers (NBC-CAM) Licensure Examination but took no action.
2. CAM Public Information Program

Terence Brennan motioned that the Council will decide which outline for flyer they will use and that Kelly Moran will provide the language for that flyer. David Beswick seconded the motion. Motion then passed, unanimously.

### 3. Removal of Complaints from CAM Records

No action could be taken by the Council due to the restrictions in record keeping as provided by FS. 468.4365.

### 4. Review of Disciplinary Rules and Fines

This item was tabled to the next meeting.

### 5. Update on Rules

Mr. Lewy discussed the requirement of HB1562 now requiring ratification by the Legislature before any rules can be changed.

### 6. Discussion on Re-Designating the Council to a Board

Tim Vaccaro stated that the department, due to the current changes in administration, was not able to indicate either yes or no to the change.

The Council discussed with Mr. Vaccaro the steps needed to be taken in order for the Council to become recognized as a Board.

Kelly Moran motioned, that Patricia Rogers is to send a letter on behalf of the Council to the Legislature requesting that the Council become recognized as a Board. Maggie Rogers seconded the motion. The motion then passed, unanimously.

### 7. Education Requirements for Manager

This item was tabled to the next meeting.

## **SUGGESTED TOPICS FOR THE NEXT MEETING**

To further discuss the information on the credentials of the experts that the department uses on their cases.

To further discuss that all in person meetings need to have all members present.

To further discuss the guidelines for public participation in Council meetings.

To further discuss disciplinary and rules fines.

To further discuss education requirements for Community Association Managers.

**MEETING DATES**

Meeting dates for the next fiscal year 2010-2011 as follows:

February 4, 2011 (Conference Call)

May 6, 2011 (TBA)

**ADJOURNMENT**

The meeting was adjourned at 12:57pm.