

**Regulatory Council for
Community Association Managers**
The Council Teleconference Meeting Minutes
Friday, May 4, 2007 @ 10:30 A.M. EST.
Telephone Number: 888.808.6959
Conference Code: 4879597

CALL TO ORDER

The meeting was called to order at 10:35 a.m. by Mr. Millard H. "Chris" Brown, Council Chair. The meeting was opened with the roll call and a quorum was established.

ROLL CALL (Council Members Present)

Chris Brown, Chair
Kelly Moran, Vice Chair
Reginald "Reg" Billups (excused absence)
Steven Czonstka
Debra Glass
Edith Yates
Morris Goodwin, Jr.

STAFF PRESENT

Anthony B. "Tony" Spivey, Executive Director
Renese Jones, Government Analyst
Barbara Edwards, Assistant Attorney General
Jessica Leigh, Prosecuting Attorney

OTHERS PRESENT

Fred Gray, Gray System, Inc.
Dawn Baum, NBC CAM

**REVIEW AND APPROVAL OF THE MINUTES FROM THE
FEBRUARY 2, 2007 MEETING**

MOTION: Mr. Czonstka moved to approve the minutes with the following corrections below.

SECOND: Ms. Moran seconded the motion and it passed unanimously.

Mr. Czonstka stated that he had a few corrections to the minutes as followings: on page 7, 2nd paragraph, last line the word "*yare*" should be "*year*". After reviewing this correction it was discovered that this correction needed to be amended in the rule. On page 10, lines 1 and 5 the word "*elected*" should be replaced with "*nominated*". 2nd line the word "*close*"

should have a “d” on it. At the beginning of line 8 it should read “Mr.” instead of “Ms.” Czonstka.

CHAIR REPORT

Mr. Brown reported that he had a telephone meeting with Secretary Benson about a month ago and he was very impressed with her energy and enthusiasm. They discussed the goals of the CAM council as following; legislative issues such as removing an exemption from the statutes that would allow small associations to use unlicensed managers; management companies being linked to a license or the principle has to be licensed; history of the council when they went through deregulation of the profession and when council had a special assessment.

This brought him and the secretary to the conversation of the council current movement toward privatization. The secretary indicated her support for whatever is in the best interest of the profession as managers, the condo and the home owners in the state. She talked about her goals and one of her goals is to improve the state website. She wants the website to be very easy to use and have it designed in such a way that all of the licensees and professions will use it regularly. She stated that the Council’s newsletters will be published on a regularly basics.

Mr. Brown also stated that based on the timeline of the previous professions that are ahead of the council seeking privatization “*we did not expect it to happen this year. The budget office reported back that the funding would not be available this year.*” Council Chair will work through the summer with the budget office and other stakeholders and try to address any remaining issues and hopefully create a timeline that we will be successful to see funding next year.

COUNCIL COUNSEL REPORT

Ms. Edwards stated that “*Rule 61-20.508 (6) F.A.C. Continuing Education Renewal Requirements was adopted the end of February and this rule will be removed from the future rule list.*”

Ms. Edwards indicated that she thinks she knows what changes needed to be made to Rule 61-20.002 after listening to the tape for about two hours. The changes to Rule 61-20-002 Inactive Status and Renewal of Manager’s License as follows:

Within the entire Rule 61-20.002 everywhere the word ~~non-active~~ was used Ms. Edwards changed it to an inactive.

On page 18 (a), Rule 61-20.002 (1) (a) she added DBPR website address <http://www.myflorida.com/dbpr/pro/form/cam/index.shtml>; The inactive status fee of \$10 will remain the same.

MOTION: Mr. Czonstka made a motion to keep the inactive status fee as is.

SECOND: Ms. Yates seconded the motion and it passed unanimously.

Ms. Edwards stated *“these are the only changes that JAPC asked me to make and I think I have done that.”* She asked Mr. Spivey to notify her every time the department changes its website address so that she can change all of the rules.

Mr. Spivey indicated that she will be notified.

On page a-1, Ms. Edwards deleted the second sentence and added “All applicable fees must be paid and compliance with the requirements set forth in rule 61-20.508 must be met.” She deleted sub-sections 2 (a) (b).

On page a-2, sub-section (3), Ms. Edwards deleted sentences 2 and 3; first line will read as “Renewal of a Delinquent license whether Active or Inactive shall require submission of a Renewal applications to the Council on or before September 30 to be processed for renewal.”

Sentences 3 and 4 will read as: “Proper forms shall mean the renewal application is completed, all applicable fees are paid and all applicable continuing education ~~contract~~ hours have been completed prior to submission. If a renewal application is submitted after September 30 ~~October~~ 31 of the renewal year, the license becomes null.

Ms. Edwards stated that she has applied with all of JAPC requirements and she cleaned up the rule language. This is the way the rule should read when it is adopted. She formatted the rule this way because she felt as if it would look more user friendly.

MOTION: Mr. Czonstka made a motion to approve the rule changes.

SECOND: Ms. Moran seconded the motion and it passed unanimously.

PROSECUTING ATTORNEY REPORT

Ms. Leigh stated that she provided the council members with a memorandum dated April 18, 2007 which contained all the CAM cases located in the legal section and she gave a verbal report as follows:

Status 30 – In Legal

The report showed that there were 24 cases reported;

Status 35 – Set for Probable Cause

The report showed that there was 1 case reported;

Status 45 – Sent to Expert/Consultant
The report showed that there were 7 cases reported;

Status 36 – Administrative Complaint Filed
The report showed that there were 2 cases reported;

Status 42 – Pending Informal Hearing
The report showed that there were 6 cases reported;

Status 40 – Awaiting Outside Action
The report showed that there was 1 case reported;

Status 43 – Formal Hearing Requested
The report showed that there was 1 case reported;

Status 44 – Referred to DOAH
The report showed that there was 1 case reported;

Status 50 – Settlement Negotiations
The report showed that there was 1 case reported;

Status 58 – Case Considered – Awaiting Final order
The report showed that there were 2 cases reported;

There were a total of 46 open CAM cases in the legal department.

EXECUTIVE DIRECTOR'S REPORT

Mr. Spivey reviewed the financial reports ending December 31, 2006. The Operating Account showed a balance of \$1,523,193. The unlicensed activity account showed a balance of \$130,643. He indicated that he had not been informed of any sweeps.

Mr. Spivey informed Council that the regulation report was provided for information purposes only.

Mr. Spivey indicated that he had completed the newsletter and he is waiting on communications to review it so that it can be posted to the website. He's going to speak with Mr. Vaccaro to see if the board could mail hard copies of the newsletters. He indicated that on the website there is a link so that the individuals can subscribe to receive newsletters. The link is designed that once you click on the link it will automatically pull your e-mail address.

Mr. Brown indicated that if we are not going to send out hard copies staff should write an article in the newsletter advising the community association managers to submit their e-mail address to the department.

Mr. Spivey indicated that he will send Mr. Brown's suggestion to Mr. Tim Vaccaro and he can send it to the secretary. At the time a person submits an application for license the department requests the applicant's e-mail address. E-mail addresses are not mandatory and most of the applicants do not provide their e-mail addresses.

OLD BUSINESS

Ms. Moran indicated that she did not have any updates on the Public Service Announcements (PSA) and she has not heard from Mr. Michael Green or Mr. Joseph "Joe" Friedman.

Mr. Spivey agreed to speak with Mr. Green regarding having a PSA ready for the next meeting. He indicated that Mr. Green is aware of the PSA for Council.

NEW BUSINESS

Ms. Yates apologized to Council for missing the last meeting or two. She also indicated that she's been elected to the city commissioner in Lakeland and their meetings are held on Friday mornings the same as the Council. Mr. Spivey informed her that she is required to service on the Council until the Governor's office appoints a replacement person for her. She thanked the Council members for her time served as a member and she had enjoyed working with them and it's been fun.

Mr. Czonstka stated that he received a letter from the governor's appointment office stating that he will be reappointed and he hasn't heard anymore.

Mr. Brown stated that he received an e-mail stating that the governor's appointment office had received all of his information and they thanked him for the information and his application is being process. He has not heard anything else from the appointment office.

Ms. Moran indicated that she has not heard anything. She asked the question of Mr. Spivey could it be that the session is not over?

Mr. Spivey stated that he had not been given any information on Council's appointees and it could be that the session is not over. Also, he indicated that he had looked at the bills on the system and he did not see any bills that would affect the community association managers.

PUBLIC COMMENTS

None

NEXT MEETING

The next meeting will be held on August 10, 2007 in Sarasota at the Ritz-Carlton Hotel, 1111 Ritz-Carlton Drive, Sarasota, Florida 34236. The forthcoming Council meeting dates are November 2, 2007, February 1, 2008 and May 2, 2008.

ADJORNMENT

MOTION: Ms. Moran moved to adjourn the meeting

SECOND: Ms. Yates seconded the motion and it passed unanimously.

The meeting was adjourned at 11:30 am.