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**REGULATORY COUNCIL OF  
COMMUNITY ASSOCIATION MANAGERS**

February 21<sup>st</sup>, 2014 at 10:00 a.m. EST

Conference Call Meeting

Conference: 888.670.3525      Conference Code: 6493057517 then #

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**Meeting Minutes**

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**I. CALL TO ORDER**

The meeting was called to order at 10:08 a.m. by Chair, David Beswick.

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**II. ROLL CALL**

David Beswick (Chair)  
Dawn Warren (Vice-Chair)  
Elizabeth “Betsy” Barbieux  
Angela Phillips  
Sharon Cunningham  
Pedro Allende  
Margaret Rogers

**Staff:**

Robert Milne, Assistant Attorney General  
Daniel Biggins, Executive Director  
Donald Shaw, Government Analyst  
Radhika Puri, Prosecuting Attorney  
Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Court Reporter present telephonically.

**III. APPROVAL**

**1. November 8<sup>th</sup>, 2013 meeting minutes**

**Motion:** Ms. Phillips made a motion to waive the reading of the minutes and to approve the November 8<sup>th</sup>, 2013 meeting minutes.

**Second:** Ms. Rogers seconds the motion. Motion passes unanimously.

**IV. CHAIR REPORT – David Beswick**

David Beswick briefly discussed what he sees as a declining membership in Community Association Manager Associations, of which the primary reason for their existence is to provide continuing education credits and networking opportunities for their members. Mr. Beswick stated he feels the declining membership is a result of free continuing education credits being given out by various companies and firms. Mr. Beswick stated he

47 feels this is a positive for the industry in that managers are being given more access to  
48 education and information for their industry, but feels the networking opportunities for  
49 licensed Community Association Managers are getting fewer and fewer. Mr. Beswick  
50 asked the Council if this phenomenon is appearing in other areas of the state. Ms.  
51 Phillips stated that the same thing is happening in her area of the state as there are not  
52 many good opportunities for Community Association Managers to network with each  
53 other.

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## 55 **V. COUNCIL DISCUSSION TOPICS**

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### 57 **Continuing Education for activation of Inactive Licenses**

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59 Mr. Biggins gave a brief overview of the process of reactivating an inactive license,  
60 indicating that a licensee was required to take the required continuing education prior to  
61 the license being activated. Mr. Biggins stated that he has confirmed that this is the  
62 information the Department passes on to licensees, but he will ensure that nothing in the  
63 Department's materials indicate otherwise. Mr. Biggins stated that the confusion could  
64 be coming up in the difference between reactivating an inactive license, and reinstating a  
65 Null & Void license.

66

### 67 **Legal Update Seminar**

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69 Mr. Biggins reviewed Rule 61E14-4.001 (3)(a), requiring individuals to take the required  
70 2 Hour Legal Update course in each year of the biennium. Ms. Barbieux stated there is  
71 some confusion on how the course is being offered by CE providers, and she feels the  
72 rule should be changed to better accommodate licensees.

73

74 **Motion:** Ms. Barbieux made the motion to open up Rule 61E14-4.001 for development,  
75 to allow individuals to take both of the Legal Update courses at any time throughout the  
76 renewal period.

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78 **Second:** Ms. Phillips seconded the motion.

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80 After discussion, the motion passed unanimously.

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82 Mr. Milne indicated he would present proposed language at the next meeting.

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### 84 **Exam Discussion**

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86 Mr. Biggins indicated that he spoke with the Department's Bureau of Education and  
87 Testing and was provided a little history on Rule 61E14-1.004, and provided that history  
88 to the Council. Mr. Biggins stated that the Exam has been approved by the Council and  
89 doesn't need to be approved on an annual basis. Mr. Biggins stated that he thinks it  
90 would be a good idea for Mr. Beswick to appoint a Committee to visit the Department  
91 and review the exam.

92

93 Mr. Beswick asked if Ms. Warren would be open to being appointed to that Committee  
94 and reviewing the CAM exam. Ms. Warren stated she would be open to the idea. Mr.  
95 Beswick appointed Ms. Warren to visit the Department and review the CAM exam.

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97 **VI. COUNSEL REPORT – Robert Milne**

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99 Mr. Milne informed the Council that the Department had received a letter from the Joint  
100 Administrative Procedures Committee (“JAPC”) regarding the language submitted for  
101 Rule 61E14-2.001. Mr. Milne stated JAPC required that changes to the proposed  
102 language be made, and Mr. Milne stated he would provide those suggested changes to the  
103 Council at a future meeting.

104

105 Mr. Milne concluded his report by indicating that no other rules are pending, and he will  
106 provide suggested language for Rule 61E14-4.001 at the next meeting.

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108 **VII. DEPARTMENT RULE REPORT – John MacIver**

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110 Mr. MacIver had nothing to report.

111

112 Mr. Biggins indicated as soon as Rule 61E14-2.001 was completed, Mr. MacIver would  
113 be submitting language to ensure that any Rule under 61-20 that would be affected by the  
114 changes to Rule 61E14-2.001 would be changed to be consistent with those changes.

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116 **VIII. PROSECUTING ATTORNEY REPORT – Radhika Puri**

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118 Ms. Puri read the Prosecuting Attorney’s report into the record.

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120 Ms. Barbieux asked if the numbers provided were an acceptable case load for the  
121 Department to handle. Ms. Puri confirmed that the numbers are manageable for her.

122

123 **IX. EXECUTIVE DIRECTOR - Daniel Biggins**

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125 Mr. Biggins introduced Ms. Barineau and Ms. Rice to the Council, and indicated that  
126 they would be replacing himself and Mr. Shaw as the Departmental staff for the Council.  
127 Ms. Barineau would be the new Executive Director for the Council, and Ms. Rice would  
128 be the new Government Analyst, and Mr. Biggins they come with his highest  
129 recommendation. Ms. Barineau and Ms. Rice both thanked Mr. Biggins and stated they  
130 were looking forward to working with the Council.

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132 **1. Financial Statements; current & projections**

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134 Mr. Biggins reviewed the report to the Council.

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136 Ms. Barbieux asked why there was such a large difference in income from this year and  
137 the previous year. Mr. Biggins explained that is due to the previous year being a renewal  
138 year for the CAM licenses.

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**2. Division of Regulation Quarterly Complaint Report**

Mr. Biggins read the Quarterly Complaint Report into the record.

**3. CAM Firm Renewal Numbers**

Mr. Biggins read the renewal numbers into the record.

**4. HOA Reporting Numbers**

Mr. Biggins read the reporting numbers into the record.

Ms. Phillips asked if there was any way that the Council could be provided with the total amount of Homeowners' Associations in the State, to see how many HOAs are in compliance with the reporting requirement and how many have yet to comply. Ms. Phillips expressed concern that self-managed associations may not know of the reporting requirement. Mr. Biggins stated the Council's office has been working with the Division of Condos, Timeshares, and Mobile Homes to ensure the word is getting out however possible. Mr. Biggins said some initial numbers were provided during bill analysis, and he would check with the appropriate people to see if there is an estimate out there on the total number of HOAs.

Ms. Phillips asked if there was anything the Council members could to ensure that all associations are reporting. Mr. Biggins stated the Council members could try to go through their associations and colleagues to get the word out. Ms. Barbieux stated that when the law was passed requiring licensure of CAM Firms, actual site inspections were made to inform CAM Firms of the licensing requirements. Ms. Barbieux asked if the same could be done for HOAs. Ms. Phillips stated that in her local county, there is an association that reaches out to all the HOAs in her area, and suggested that perhaps Council Members could reach out to similar groups in their areas. Ms. Barbieux stated that she feels an audit might actually need to be performed, county by county, to identify them.

With nothing further to report, Mr. Biggins concluded his report.

**X. FUTURE MEETING DATES**

- May 9<sup>th</sup>, 2014 (Conference Call)
- August 15<sup>th</sup>, 2014 (Conference Call) – tentative

**XI. New Business**

Ms. Barbieux requested some information on an issue that arose at the previous meeting, regarding the City of Doral having passed a local ordinance imposing additional regulation on CAMs and CAM Firms. Mr. Biggins stated that the Department's Office of

185 the General Counsel had reached out to the City of Doral, and after discussion between  
186 the two parties, the City of Doral had withdrawn their ordinance.

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188 Mr. Barbieux asked if the Council takes a position on new legislation as there are  
189 currently three bills in the Senate that affect CAMs and Community Associations. Mr.  
190 Biggins clarified that the Department's Office of Legislative Affairs is aware of those  
191 bills and is performing analysis and tracking their progress. Mr. Biggins reminded the  
192 Council that they can lobby as individual Council members through their professional  
193 associations, but the Council itself cannot lobby as a group.

194

195 Ms. Phillips requested an update on motion that was passed at the previous meeting to  
196 upgrade the Council to a full Board. Mr. Biggins stated that this information was passed  
197 on to the appropriate people in the Department but the Department did not have a  
198 legislative package this year. Mr. Biggins stated the Department is aware of the  
199 Council's desire to become a full Board.

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### 201 **XIII. Adjournment**

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203 **Motion:** Ms. Rogers made a motion to adjourn the meeting.

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205 **Second:** Ms. Warren seconded the motion. Motion passes unanimously.

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207 **Meeting adjourned at 10:46 a.m.**