

**MINUTES
REGULATORY COUNCIL OF
COMMUNITY ASSOCIATION MANAGERS
February 28, 2020
10:00 a.m. EST
The telephone number is 1.888.585.9008
Conference Room Number: 241687833#**

CALL TO ORDER

The Regulatory Council of Community Association Managers was called to order at approximately 10:00 a.m., by Chair Sharon Cunningham

MEMBERS PRESENT

Sharon Cunningham, Chair
Gary Pyott, Vice Chair
Robert "Bob" Sibley

PERSONS PRESENT

Krista Woodard, Executive Director, Department of Business and Professional Regulation (DBPR)
James Richardson Senior Attorney, Office of the General Counsel, DBPR
Ronald Thomas "Tom" Jones, Assistant Attorney General, Office of the Attorney General
Melinda Gray, Government Analyst, DBPR
Jessica Renchen, Court Reporter, For the Record Court Reporting

APPROVAL OF THE MINUTES OF THE MEETING ON NOVEMBER 8, 2019

Mr. Pyott moved to approve the meeting minutes on November 8, 2019. Mr. Sibley seconded the motion. The motion passed unanimously.

INTRODUCTION OF DEPARTMENT ATTORNEY

Mr. Richardson introduced himself to the Council. Mr. Richardson informed the Council that Mr. Duval is no longer with the Department and that he is the Acting Chief Attorney for the Council.

REPORTS

PROSECUTING ATTORNEY REPORT – James Richardson

Mr. Richardson provided the Council with an overview of the reports and provided the Council with updated statistics of 194 cases in legal.

COUNSEL REPORT – Tom Jones

Proposed Rule 61E14-1.005, F.A.C.

The Council discussed the proposed Null and Void Status language. Mr. Pyott made a motion to approve the new Null and Void Status language listed below. Mr. Sibley seconded the motion. The motion passed unanimously.

61E14-1.005 Null and Void Status.

Any person desiring licensure as a Community Association Manager from null and void status shall submit a completed Form DBPR CAM 5, Application to Reinstate Null and Void License, effective December, 2014, adopted and incorporated by reference in rule 61-35.020,

Community Association Management Departmental Forms, and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-05486>.

~~The null and void status licensee who applies for active or inactive status shall apply to the Department anew by submitting a completed application as set forth in Section 468.433, F.S., with appropriate fees as if this were a first-time application.~~

Rulemaking Authority 455.271(6)(a) FS. Law Implemented 455.271(6)(a), 468.433 FS. History–
New _____.

The Council addressed the Statement of Estimated Regulatory Costs (SERC). Mr. Pyott made a motion that this rule would not have an adverse impact on small business. Mr. Sibley seconded the motion. The motion passed unanimously.

Mr. Pyott made a motion that his rule will not directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Mr. Sibley seconded the motion. The motion passed unanimously.

The Council determined that this rule would not constitute a minor violation.

The Office of Fiscal Accountability and Regulatory Reform (OFARR) Letter

Mr. Jones provided the Council with an overview of The Office of Fiscal Accountability and Regulatory Reform letter. The Council discussed the proposed sunset language. Mr. Pyott made a motion that the Council would address the sunset language on a case by case basis. Mr. Sibley seconded the motion. The motion passed unanimously.

Facebook

Mr. Jones provided the Council with an overview of a Supreme Court Case related to social media, specifically Facebook.

EXECUTIVE DIRECTOR REPORT – Krista Woodard Continuing Education Courses – Ratification List

The Ratification List of continuing education courses was provided to the Council for their review and approval. Mr. Pyott moved to approve the Ratification List as submitted. Mr. Sibley seconded the motion. The motion passed unanimously.

Financial Report – June 30, 2019

Ms. Woodard reported that the balance in the Council's operating account was \$23,119. The unlicensed activity account balance was \$270,107.

Future Meeting Dates

May 15, 2020 – Conference Call
August 21, 2020 – Conference Call
November 6, 2020 – St. Augustine Beach
February 26, 2021 – Conference Call
May 21, 2021 – Conference Call
August 6, 2021 – Conference Call

OLD BUSINESS

The Council readdressed what language would be appropriate advertisement for a community association manager. Mr. Jones will provide draft language at the May 15, 2020 conference call.

NEW BUSINESS

There was no new business to come before the Council at this time.

PUBLIC COMMENT

There was no public comment to come before the Council at this time.

ADJOURNMENT

There being no further business to come before the Council, Mr. Pyott made a motion to adjourn. Mr. Sibley seconded the motion. The motion passed unanimously, with the meeting adjourning at 11:09 a.m.