

MINUTES
REGULATORY COUNCIL OF
COMMUNITY ASSOCIATION MANAGERS
August 25, 2017
10:00 a.m. EST
Conference Call Meeting
Conference: 888.670.3525 Participant Code: 7335214083#

CALL TO ORDER

Chair Dawn Warren called the meeting to order at 10:01 a.m.

ROLL CALL

Dawn Warren, Chair
Angela M. Phillips, Vice-Chair
Sharon Cunningham
Gary Pyott
Lisa Riddle
Robert "Bob" Sibley

MEMBERS NOT PRESENT

Pedro Allende

OTHER PERSONS PRESENT

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Robin Smith, Assistant General Counsel, DBPR
Wayne Mitchell, Assistant General Counsel, DBPR
Megan Silver, Assistant General Counsel, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General (OAG)
Linda Gray, Government Analyst, DBPR

OTHERS PRESENT

Sara Duginske, Director, Credentialing Services, Community Association Managers International Certification Board

ATTENDANCE

Ms. Robyn Barineau informed the Council that Mr. Pedro Allende has resigned from the Council and that he would no longer serve as a consumer member.

APPROVAL OF THE MINUTES OF THE MEETING ON MAY 19, 2017

After discussion, Chair Warren requested a motion to approve the minutes.

MOTION: Vice-Chair Angela Phillips made a motion to approve the minutes as written.

SECOND: Ms. Sharon Cunningham seconded the motion and it passed unanimously.

REPORTS

PROSECUTING ATTORNEY REPORT – Robin Smith Megan Silver, Wayne Mitchell Case Reports

Ms. Robin Smith and Mr. Wayne Mitchell provided the Council with an overview of the reports included in the agenda as well as updated statistics through August 25, 2017. Mr. Mitchell stated that there is an uprising of complaints related to denial of records. Ms. Smith indicated

that the General Counsel's Office has not yet received any complaints related to the statutory changes that were effective July 1, 2017.

Mr. Gary Pyott requested the General Counsel's Office to provide additional data concerning the types of cases they are reviewing, complaints based upon the new statutory changes and provide clarity of certain new changes.

COUNSEL REPORT – Lynette Norr

Rules Report

Ms. Norr stated that she had sent a letter to the Joint Administrative Procedures Committee (JAPC) related to the Special Assessment Fees, Rule 61E14-3.002, F.A.C. discussed at the May 19, 2017, meeting, indicating that the Council intends on keeping this rule in place.

Draft Rule 61E14-6.001, F.A.C., Unexcused Absences.

Ms. Norr and Ms. Barineau explained to the Council that this proposed rule is to transfer the authority from the Department to the Council, as suggested by JAPC.

After discussion, the following action was taken.

MOTION: Mr. Pyott made a motion to accept the language as drafted.

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

The Council addressed the Statement of Estimated Regulatory Costs (SERC). The Council determined that these rule amendments would not have an adverse impact on small business nor will it be likely to 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 amendments. All members agreed that no SERC was necessary for the development of the proposed rule amendments.

MOTION: Vice-Chair Phillips made a motion that this rule amendment would not have an adverse impact on small business.

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

The Council discussed if this rule would constitute a minor violation.

After discussion, the following action was taken.

MOTION: Vice-Chair Phillips made a motion that this rule would not create a minor violation.

SECOND: Mr. Pyott seconded the motion and it passed unanimously.

Annual Regulatory Plan

Ms. Norr asked the Council if they had any rules that they would like to include in the Annual Regulatory Plan. The Council decided to have the below rules included in this year's Annual Regulatory Plan.

- 61E14-2.001 Standards of Professional Conduct.
- 61E14-1.001 Prelicensure Education Requirements.
- 61E14-4.001 Continuing Education Renewal Requirements.

MOTION: Vice-Chair Phillips made a motion to include these rules in the Annual Regulatory Plan.

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

**EXECUTIVE DIRECTOR REPORT – Robyn Barineau
HB 615 – MILITARY BILL**

Ms. Barineau provided the Council with an overview of HB 615 and the exemptions of active duty military members, spouses, and surviving spouses related to professional licenses and the renewal of licenses. It also provides a fee waiver for low income individuals.

Future Meeting Dates

November 3, 2017 – Tampa
February 8, 2018 – Conference Call
May 18, 2018 – Conference Call
August 10, 2018 – Conference Call
November 2, 2018 - Gainesville

OLD BUSINESS

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

NEW BUSINESS

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

The Council welcomed Mr. Pyott as a new member.

ADJOURNMENT

Chair Warren determined that there was no further business to come before the Council and asked for a motion to adjourn the meeting.

MOTION: Ms. Lisa Riddle made a motion to adjourn the meeting.

SECOND: Mr. Pyott seconded the motion and it passed unanimously.

The meeting adjourned at 10:36 a.m.