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2 **Professional Fiduciaries Bureau (Bureau)**
3 **Advisory Committee Meeting**
4 **Wednesday, August 15, 2018**

5
6 **Meeting Minutes**
7

8 **Committee Members Present**

9 Hang Le To, Chair
10 Kathleen Thomson, Vice Chair
11 Dawn Akel
12 Barbara de Vries (via teleconference location)
13 Aileen Federizo (via teleconference location)
14 King Gee
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16 **Committee Members Absent**

17 Jenny Chacon
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19 **Department of Consumer Affairs (DCA) Staff Present**

20 Rebecca May, Bureau Chief
21 Angela Cuadra, Bureau Program Analyst
22 Fred Chan-You, Department of Consumer Affairs (DCA) Legal Counsel
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- 25 1) Call to Order – Ms. To called the meeting to order at 10:14 a.m. and stated the meeting date and
26 locations.
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- 28 2) Roll Call & Establishment of Quorum –
29 Ms. Cuadra called roll. Committee members Ms. Hang Le To, Ms. Kathleen Thomson, Mr. King
30 Gee, and Ms. Dawn Akel were present at meeting location 1625 N. Market Blvd, Sacramento, CA
31 95834. Ms. Aileen Federizo was present via teleconference from teleconference location 6345
32 Balboa Blvd., #114, Bldg. 1, Encino, CA 91316. Ms. Barbara de Vries was present via
33 teleconference from teleconference location 5-Third Street, Suite 1132, San Francisco, CA 94103.
34 Ms. Jenny Chacon was absent. A quorum was established with six members present.
35
- 36 3) Advisory Committee, Bureau Chief, Staff and Legal Counsel Introductions – Committee Members
37 introduced themselves. Ms. Jordan Goldstein introduced herself from the San Francisco
38 teleconference location and Mr. James Counts introduced himself from the Encino location.
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- 40 Public Comment: None.
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- 42 4) Reading of the Professional Fiduciaries Bureau Mission Statement –
43 Ms. May read the Bureau's new mission statement.
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45 Public Comment: None.
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1 5) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from June 20,
2 2018 –
3 Ms. Federizo motioned to approve the minutes as written. Ms. Thomson seconded the motion. A
4 vote by roll call was made: Ms. de Vries, Ms. Federizo, Mr. Gee, Ms. Akel, Ms. Thomson, and Ms.
5 To were in favor. Ms. Chacon was absent for the vote. The motion carried with six votes.

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7 Public Comment: None.

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9 6) Updates from the Director's Office –

10 Ms. Karen Nelson, Assistant Deputy Director of Board and Bureau Services, presented updates
11 from the Director's Office.

12 On June 25th the Director held his first board member and advisory committee leadership
13 conference call. Another call will be held before the end of the year. On August 6th the Director's
14 Quarterly Meeting was held. The next meeting will be held on October 29th. Licensing and
15 enforcement workgroups were held this month. Finally, the DCA Future Leadership Development
16 program will kick off in September.

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18 Public Comment: None.

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20 7) Bureau Updates –

21 • Statistics –

Two-Year Fiscal Year Statistics Comparison	As of June 2017	As of June 2018
New Licenses	63	57
Active Licenses	727	736
Total Licenses Issued	995	1,052
Applications Received	99	126
Accusations Filed	4	5
Citations Issued	4	13
Complaints Received	120	145
Complaints Closed	166	142
Complaints Pending	42	23
Average Days to Close	260	159

22
23 Mr. Gee asked for a summary of complaint type and Ms. May replied mainly care of service,
24 displeased with service, and most result in no action. Ms. Thomson asked what the four Attorney
25 General (AG) cases involve and Ms. May replied these were citations which a response was not
26 received.

27
28 • Outreach events –

29 Ms. May stated there were no outreach events since our last meeting, but there are a couple
30 coming up in Kern county.

31
32 • E-Newsletter –

33 The newsletter has been approved by our legal office and is now with the publications office. The
34 newsletter will be going out soon.

35
36 • Bureau's 2018-2022 Strategic Plan –

37 Ms. May stated the Bureau staff has been completing goals and read through the goals which are
38 completed to date.

1 Ms. de Vries asked that the Bureau resurrect the plan which was created from an education
2 subcommittee several years ago. Ms. May stated the Bureau will pull the plan to use in the
3 upcoming subcommittee.

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5 Public Comment: None.

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7 8) Budget Report –

8 Mr. Matt Nishimine stated there are no changes and nothing to be concerned about with the
9 Bureau's budget at this time.

10 Mr. Gee asked for the reason for the structural imbalance and Mr. Nishimine stated this I because
11 projections are projected as flat when there will more likely be growth of approximately 2%. Mr.
12 Gee also asked what would happen if the Bureau became insolvent and Mr. Nishimine stated
13 prior to that happening the Bureau would look at cutting spending, raising fees, or cutting
14 personnel. Ms. Thomson asked why the AG allotment changes and Mr. Nishimine stated the
15 Bureau has not used the entire allotment for this year. Mr. Nishimine stated for state budgeting
16 purposes, the Bureau is required to stay within the bottom line.

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18 Public Comment: None.

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20 9) Legislative Update –

21 Mr. Alexander Millington, DCA Legislative Affairs Analyst, presented the following updates.

22 • 2018 Legislation Related to the Bureau

23 Mr. Millington reviewed the handout presented in the materials. There were no comments
24 made during the review of bills related to the Bureau.

25
26 • 2018 Legislation Related to the Department

27 Mr. Millington reviewed the handout presented in the materials. The following comments
28 were made during the bill review of bills related to DCA:

- 29
30 1. AB 2138 – Ms. Thomson asked who makes the decision if the conviction is
31 substantially related and Mr. Millington replied the bureau would make this
32 decision. Ms. Thomson also asked if there will be a list and Ms. May replied the
33 decisions would be made on a case by case basis.
34 2. SB 1137 – Ms. Thomson asked how communication will be facilitated and Mr.
35 Millington stated DCA would determine how the consulting will be done.

36
37 • Other Bills: Dead Bills, Bills No Longer Related to the Department, and 1-Year Bills

38 Mr. Millington reviewed the handout presented in the materials. There were no comments
39 made during the review of dead bills.

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41 Public Comment: Mr. Jerry Desmond, Legislative Advocate for Professional Fiduciary
42 Association of California (PFAC) stated regarding AB 3144, PFAC supports to extend the
43 Bureau, experience pathway, expansion of scope of practice to include personal representatives
44 of decedent estates, and clarification of annual reporting requirements. PFAC is not comfortable
45 with the prohibition of charging clients when responding to a complaint with the Bureau but will
46 not oppose the bill. PFAC will work with Assemblymember Low on this point. Regarding AB
47 1247, PFAC is in support and already has diversity efforts in place.

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49 10) Proposed Rulemakings -

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- Update regarding Inactive/Retired License Proposed Regulation – Sections 4560-4580 of Article 8 of Title 16 of the California Code of Regulations
Ms. May stated this is in pre-review process with DCA.
- Update and discussion regarding Client Notification Proposed Regulation – Section 4640 of Article 12 of Title 16 of the California Code of Regulations
Ms. May stated this is in pre-review process with DCA.
- Introduction and Discussion of Proposed Advertising Regulation – Section 4485 of Article 4 of Title 16 of the California Code of Regulations and Amendment to Section 4406 of Article 1 of the California Code of Regulations
Mr. Chan-You stated this regulation will provide a definition and requirements to advertise as a licensed professional fiduciary.
- Introduction and Discussion of Proposed Amendments to Citation Sections 4600 and 4606 of Article 10 of Title 16 of the California Code of Regulations
Mr. Chan-You stated this amendment is to clarify the section regarding informal conference.

Public Comment: None.

11) Vote for Formation of Apprenticeship Subcommittee

Ms. Akel motioned to form an apprenticeship subcommittee composed of two members. Ms. Federizo seconded the motion. A vote by roll call was made: Ms. de Vries, Ms. Federizo, Mr. Gee, Ms. Akel, Ms. Thomson, and Ms. To were in favor. Ms. Chacon was absent for the vote. The motion carried with six votes.

Public Comment: None.

12) Future Agenda Items

- None.

Public Comment: None.

13) Future Meeting Dates

-Wednesday, November 7, 2018
There were no conflicts mentioned by any of the committee members.

Public Comment: None.

14) Public Comment on Items Not on the Agenda – None.

15) Adjournment – The meeting was adjourned at 11:26 a.m.