



**Professional Fiduciaries Bureau (Bureau)  
Advisory Committee Meeting  
Wednesday, September 2, 2020**

**Meeting Minutes**

Committee Members Present

Wendy Hatch, Vice Chair  
James Moore  
Chi Elder  
Bertha Sanchez Hayden

Department of Consumer Affairs (DCA) Staff Present

Rebecca May, Bureau Chief  
Angela Cuadra, Bureau Program Analyst  
Fred Chan-You, DCA Legal Counsel

- 1) Call to Order – Ms. Hatch called the meeting to order at 10:03 a.m. and stated the meeting was being held via WebEx with no physical public locations due to the Governor’s executive order N-29-20.
- 2) Roll Call & Establishment of Quorum –  
Ms. Cuadra called roll. Committee members Ms. Wendy Hatch, Mr. James Moore, Ms. Chi Elder, and Ms. Bertha Sanchez Hayden were present via WebEx. A quorum was established with four members present.
- 3) Advisory Committee, Bureau Chief, Staff and Legal Counsel Introductions – Committee Members, Bureau staff, and Legal Counsel introduced themselves.
- 4) Public Comment on Items Not on the Agenda –  
There were comments made by the public as follows:  
The Bureau issues citations to licensees for paperwork and misuse, but not for mistreating clients. A request was made to track all requests for agenda items from 2018 to current. A request was made to forward criminal actions to Department of Consumer Affairs. Lastly, a request was made to set mandatory response times to complaints and provide progress of complaint.
- 5) Reading of the Professional Fiduciaries Bureau Mission Statement –  
Ms. May read the Bureau’s mission statement.

Public Comment: A member of the public commented the Bureau should protect consumers.

- 6) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from September 2, 2020 –  
 Ms. Hatch requested a change to agenda item 5, changing “Ms. Chi” to “Ms. Elder.” Mr. Moore motioned to approve the minutes with this change. Ms. Sanchez Hayden seconded the motion. A vote by roll call was made: Ms. Hatch, Mr. Moore, Ms. Chi, and Ms. Sanchez Hayden were in favor. There was no discussion from the committee members and the motion carried with four votes. Ms. Cuadra stated the minutes would be posted to the website with the change requested by Ms. Hatch.

Public Comment: None.

- 7) Update from the Director’s Office –  
 Ms. Carrie Holmes, Deputy Director of Board and Bureau Relations, reported there are four new budget reports that have been created by DCA to assist Bureau staff in creating reports. There is a new tracking system created by DCA’s regulations unit which will allow their office and Bureau staff to exchange information on-line while working through the regulation process. Ms. Holmes also provided an update on DCA office closures related to COVID-19.

Public Comment: None.

- 8) Budget Report –  
 Mr. Paul McDermott, DCA Budget Analyst, presented the budget projection report and fund condition for the Bureau. He stated the budget is holding steady and the Bureau is projecting a two percent savings for the fiscal year.

Public Comment: None.

- 9) Legislative Update and Discussion –  
 Ms. Bianca Angulo, DCA Legislative Affairs Analyst, updated the committee regarding the legislative calendar, and the status of current bills of interest to the Bureau.

Public Comment: A member of the public commented that the Bureau should introduce legislation that provides consumer protection. A representative of the Professional Fiduciaries Association of California (PFAC) commented that PFAC is in support of SB 1123 and AB 2844. Another member of the public commented that the Bureau should refer enforcement cases to DCA’s Division of Investigation.

- 10) Bureau Updates – Ms. May presented the Bureau’s statistics as of April 30, 2020.

- Application Licensing and Enforcement Statistics –

July 1, 2019 – June 30, 2020	
New Licenses	59

Active Licenses	766
Total Licenses Issued	1,166
New Applications Received	113
AG Cases Initiated	6
Citations Issued	30
Complaints Received	142
Complaints Closed	90
Complaints Pending	89
Average Days to Close Complaints	178

- Outreach – Ms. May stated no outreach events were attended since the last meeting due to the pandemic. Ms. May asked the committee to inform the Bureau of any outreach events by email.
- E-Newsletter – Ms. May stated the newsletter is pending DCA’s publication’s office.
- Website – Ms. May stated that a link to the Office of Administrative Hearings (OAH) has been added to the Bureau’s enforcement website after receiving a request from the public.

Public Comment: Comments were made suggesting clarification of the OAH link to hearings. Ms. Cuadra explained how to search the website. A request was made to add an advocate column to the newsletter. A comment was made that a complaint filed in April had not concluded and insufficient updates were provided. The commenter also asked why the Bureau does not respond to questions during the meeting. Ms. May replied that the Bureau is not allowed to discuss items that are not on the agenda and explained that specific complaints cannot be discussed during a public meeting. Mr. Chan-You reiterated Ms. May’s explanation of discussion of items not on the agenda.

11) Proposed Rulemakings –

Ms. May reported that the inactive/retired license and client notification proposed regulations are in the pre-review process and have not yet been filed with the Office of Administrative Law. The proposed regulation for substantial relationship and rehabilitation criteria is in its final few weeks of the process.

Public Comment: None.

12) Discussion of the Bureau’s ability to create and to provide educational and training courses to licensees –

In response to a previous request by the public, Ms. May explained the pre-licensure and ongoing educational requirements for Bureau. She also stated that the Professional

Fiduciaries Act (Act) does not authorize the Bureau to provide direct training to licensees. Further, the Bureau cannot mandate specific coursework that is not required by the Act.

Public Comment: None.

13) Future Agenda Items –

Ms. Cuadra listed the following suggested agenda items as requested by Advisory Committee members and members of the public:

- Bureau to create mandatory time requirement for responses to complaints.
- Bureau to provide progress reports to complainants.

Public Comment: A comment was made that the Bureau staff need to be educated on DCA's complaint prioritization and referral guidelines.

14) Future Meeting Dates

-Wednesday, December 2, 2020

Committee members did not mention any scheduling conflicts and were asked to contact Ms. Cuadra if there are any conflicts.

Public Comment: None.

15) Adjournment – The meeting was adjourned at 11:10 a.m.