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**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting
Wednesday, November 16, 2016**

Meeting Minutes

Committee Members Present

Hang Le To, Vice Chair
Aileen Federizo (via teleconference location)
Dawn Akel
Jenny Chacon
Kathleen Thomson
King Gee

Committee Members Absent

Barbara de Vries, Chair

Department of Consumer Affairs (DCA) Staff Present

Tracy Montez, Division Chief
Angela Bigelow, Bureau Program Analyst
Angelique Scott, DCA Legal Counsel

- 1) Call to Order – Ms. To called the meeting to order at 10:05 a.m. Ms. Scott, DCA Legal Counsel, clarified the date and meeting locations.
- 2) Roll Call – Ms. Montez, Division Chief, asked Ms. Cuadra to call roll. Committee members Ms. Dawn Akel, Mr. King Gee, Ms. Kathleen Thomson, and Ms. Hang Le To, were present at meeting location 1625 N. Market Blvd, Sacramento, CA 95834. Ms. Aileen Federizo was present via teleconference from teleconference location 6345 Balboa Blvd., #114, Encino, CA 91316. Ms. Barbara de Vries and Jenny Chacon were not present. A quorum was established with five members present. Ms. Chacon arrived at 10:08 a.m.
- 3) Introductions – Department of Consumer Affairs (DCA) staff and Committee Members introduced themselves.

Public Comment: None.
- 4) Update on Status of the Bureau Chief Position – Ms. Montez reminded the committee this position is appointed by the Governor and as soon as an appointment is made by the Governor, Ms. Montez will notify the Committee Members. Ms. Montez thanked the Bureau staff for their hard work during this time.

Public Comment: None.

1 5) Professional Fiduciaries Bureau Mission Statement – Ms. Montez read the Bureau’s mission
2 statement.

3
4 Public Comment: None.

5
6 6) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from August 24,
7 2016 – Ms. Thomson motioned to approve the minutes as written. Ms. Chacon seconded the
8 motion. A vote by roll call was made: Ms. To, Ms. Akel, Ms. Chacon, Ms. Federizo, Ms. Thomson,
9 and Mr. Gee were in favor, none were opposed, Ms. de Vries was not present, and the motion
10 carried.

11
12 Public Comment: None.

13
14 7) Updates from the Director’s Office – Ms. Shelly Jones, Manager with the Board and Bureau
15 Relations Division, reported on October 27, 2016 the department held an Annual Distributed Cost
16 Review and Open House for Executive Officers, Bureau Chiefs and Board Presidents. The
17 attendees were able to meet with the staff of each unit and learn about the programs.

18
19 The department’s report covering the budget process will be emailed to all board and committee
20 members and it will include information on distributed costs and outline the budget process.

21
22 The Little Hoover Commission report, “Jobs for Californians: Strategies to Ease Occupational
23 Licensing Barriers”, was released on October 14, 2016. The report calls for a review of the state
24 occupational licensing system, especially for former criminal offenders, veterans, military spouses,
25 and those educated in other countries. The report asserts licensing stands in the way of
26 employment for especially for these individuals. The report also addresses reciprocity for those
27 licensed in other states. DCA is reviewing the report and will provide more information at a later
28 date.

29
30 DCA is continuing to work on its Strategic Plan and a survey was sent electronically to
31 stakeholders yesterday.

32
33 Public Comment: None.

34
35 8) Budget Report – Mr. Matt Nishimine, Budget Analyst, provided a copy of the Bureau’s fund
36 condition and expenditure report for Fiscal Year 2015-2016 and the current Fiscal Year 2016-
37 2017 projections. Mr. Nishimine reported the projections are looking very good due to the Bureau
38 Chief vacancy. The fund condition statement has been updated to reflect a savings of \$140,000
39 due to this vacancy. Ms. Montez stated because of the savings the Bureau staff may be able to
40 attend a few outreach events in Southern California this year. Mr. Gee supports this suggestion
41 to attend outreach events in Southern California.

42
43 Public Comment: None.

44
45 9) Legislative Update – Ms. Natalie Martin-Rojas, DCA Legislative Analyst, provided a corrected
46 version of the legislative update which was included in the packet.

47
48 2016 Legislation Related to the Bureau

- 49 • AB 1580 (Gatto) Consumer credit reports: security freezes: protected consumer.
50 This bill authorizes a representative of a protected consumer, defined as an individual who
51 is under 16 years of age or in foster care at the time a request for the placement of a

1 security freeze is made, or an incapacitated person or a protected individual for whom a
2 guardian or conservator has been appointed, to place or remove a security freeze for the
3 protected consumer, as specified. *This bill has been passed, signed, and chaptered.*

- 4
5 • AB 1700 (Maienschein) Trusts: Notice of proposed action by trustee.
6 This bill would authorize a trustee to provide a notice of proposed action for preliminary
7 and final distributions and would reduce the minimum amount of time within which
8 objections to proposed action can be made to 30 days from the date of mailing of the
9 notice. *This bill has been passed, signed, and chaptered.*

10
11 2016 Legislation Related to All DCA Programs

- 12 • AB 2859 (Low) Professions and vocations: retired category: licenses.
13 This bill would allow all programs within the Department to issue a retired license, with
14 specific limitations. *This bill has been passed, signed, and chaptered.*
- 15 • SB 1130 (Wieckowski) False Advertising: substantiation of claims: county counsel.
16 This bill would allow a County Counsel to take the same actions as the Director of the
17 Department of Consumer Affairs, the Attorney General, any City Attorney or any District
18 Attorney when the failure of the advertiser to adequately substantiate a claim within a
19 reasonable time occurs or if the requesting official has reason to believe that the
20 advertising claim is false or misleading. *This bill has been passed, signed, and chaptered.*

21
22 Public Comment: None.

23
24 10) Bureau Update –

- 25 • Statistics – Ms. Montez presented and explained the statistics year-to-date for Fiscal Year
26 2016/17

Accusations Filed	2
Citations Issued	0
Complaints Received	38
Complaints Closed	27
Complaints Pending	112
Average Days to Close	216
New Licenses Issued	17
Active Licenses	710
Total licensed Issued	949

- 27
28 • Outreach – Ms. Montez reported the Bureau staff attended three outreach events since
29 the last meeting and asked Ms. Cuadra to report on each of the meetings.
30 Ms. Cuadra reported the first event was on September 14th and the Bureau staff spoke to
31 the Sacramento Financial Abuse Specialist Team. There were approximately 25 in
32 attendance representing Adult Protective Services, Sacramento County District Attorney's
33 Office, Department of Justice, SAFE Credit Union, the Department of Business Oversight,
34 and a private practice attorney. Information about the Bureau's oversight and the
35 profession was well received and there were approximately 20 questions from the
36 attendees during the meeting and three individuals came to Ms. Cuadra after the meeting
37 with specific concerns.

38
39 The second event was on October 13th at the 2016 Senior Resource and Crime
40 Prevention Fair sponsored by the Yolo County District Attorney's Office and the City of
41 Woodland. The Bureau had a booth and handed out brochures to consumers. There

1 were 240 seniors in attendance and 78 consumer agencies. This was the second year the
2 Bureau staff has attended this event.
3

4 The third event was on October 18th at the South Placer Estate Planning Council. Staff
5 spoke about what the Bureau does and about the responsibilities of a Professional
6 Fiduciary. The council is comprised of members who provide accounting and tax services,
7 charitable non-profit organizations, fiduciary services, financial services, insurance
8 services, legal services, real estate services, and caregiver services. There were
9 approximately 30 attendees and most of the presentation was spent answering questions.
10

- 11 • Status of Client Notification Regulations – Ms. Montez reported that the Office of
12 Administrative Law disapproved the regulations on October 13th. The Bureau is working
13 with the DCA Legal office and will re-submit once the regulations have been updated.
14
- 15 • Strategic Plan Update – Ms. Montez spoke with former Chief, Julia Ansel, and Ms. Ansel
16 recommends not starting on the strategic plan until a new Chief has been appointed.
17
- 18 • Clarification on Types of “Governing Documents” Licensees are Required to be in
19 Compliance with and/or Have Sufficient Professional Knowledge About – Ms. Montez
20 reported according to the Bureau enforcement unit “governing documents” are the trust,
21 conservatorship papers, or contract.
22
- 23 • Update on Bureau Providing Status of Pending Legislation Pertaining to Caregivers Who
24 Provide Assistive and Home Care Services to Licensees’ Clients – Ms. Montez is working
25 with the DCA Legislative office and other departments to obtain a list to bring to the
26 committee members. From there the committee members can give input as to which bills
27 would be most important to follow.
28

29 Ms. Federizo suggested any bill related to the increasing cost of caregivers should be followed.
30 Ms. Federizo also asked how the public and licensees are notified when a law changes. Ms.
31 Cuadra answered the information is sent via email to the interested parties email list, posted on
32 the Bureau’s website, and PFAC will be notifying its members.
33

34 Public Comment: None.
35

36 11) Future Agenda Items

- 37 -Strategic Plan
- 38 -Travel to Southern California for outreach
- 39 -How members can be useful to the Bureau
40

41 Public Comment: None.
42

43 12) Future Meeting Dates

- 44 -Wednesday, February 8, 2017
- 45 -Wednesday, May 3, 2017
- 46 -Wednesday, August 16, 2017
- 47 -Wednesday, November 15, 2017
48

49 The committee members opted not to approve the future meeting dates with a roll call vote.
50

1 Public Comment: None.

2

3 13) Election of 2017 Chair and Vice Chair – Ms. Montez opened nominations for the position of Chair.
4 Ms. Thomson nominated Ms. To and Ms. Federizo seconded the motion. A vote by roll call was
5 taken: Ms. To, Ms. Akel, Ms. Chacon, Ms. Federizo, Ms. Thomson, and Mr. Gee were in favor,
6 none were opposed, Ms. de Vries was not present, and the motion carried.

7

8 Ms. Montez opened nominations for the position of Vice Chair. Ms. To nominated Ms. Thomson
9 and Ms. Thomson respectfully declined the nomination. Ms. Thomson nominated Ms. Federizo
10 and Ms. To seconded the motion. A vote by roll call was taken: Ms. To, Ms. Akel, Ms. Chacon,
11 Ms. Federizo, Ms. Thomson, and Mr. Gee were in favor, none were opposed, Ms. de Vries was
12 not present, and the motion carried.

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14 Public Comment: None.

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16 14) Public Comment on Items Not on the Agenda – No public comment.

17

18 15) Adjournment – The meeting was adjourned at 10:48 a.m.