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**Professional Fiduciaries Bureau (Bureau)
Advisory Committee Meeting
Wednesday, February 8, 2017**

Meeting Minutes

Committee Members Present

Hang Le To, Chair
Aileen Federizo, Vice Chair (via teleconference location)
Dawn Akel
Jenny Chacon
Kathleen Thomson
Barbara de Vries

Committee Members Absent

King Gee

Department of Consumer Affairs (DCA) Staff Present

Tracy Montez, Division Chief
Sabina Knight, Operations Manager
Angela Cuadra, Bureau Program Analyst
Myrllys Stockdale, DCA Legal Counsel

- 1) Call to Order – Ms. To called the meeting to order at 10:02 a.m. and stated the meeting date and locations.
- 2) Roll Call – Ms. Montez, Division Chief, asked Ms. Cuadra to call roll. Committee members Ms. Dawn Akel, Ms. Kathleen Thomson, Ms. Jenny Chacon, 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 Mr. King Gee were not present. A quorum was established with five members present. Ms. de Vries arrived at 10:07 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 stated the position is still vacant and awaiting appointment by the Governor's office. Ms. Montez introduced Ms. Sabina Knight who is on loan from the Bureau of Automotive Repair and will be acting as the Operations Manager for the Professional Fiduciaries Bureau (Bureau).

- 1 Public Comment: None.
2
- 3 5) Professional Fiduciaries Bureau Mission Statement – Ms. Montez read the Bureau’s mission
4 statement.
5
6 Public Comment: None.
7
- 8 6) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from November
9 16, 2016 – Ms. Thomson motioned to approve the minutes as written. Ms. Akel seconded the
10 motion. A vote by roll call was made: Ms. Federizo, Ms. Chacon, Ms. Akel, Ms. Thomson, and Ms.
11 To were in favor, Ms. de Vries abstained, Mr. Gee was not present, none were opposed, and the
12 motion carried.
13
14 Public Comment: None.
15
- 16 7) Updates from the Director’s Office – Ms. Montez reported on behalf of the DCA Director’s Office
17 and Mr. Awet Kidane that the Governor’s Budget was approved and released on January 10th,
18 2017. On January 24th the Governor delivered the State of the State Address and both of these
19 video archives are available on the California Chanel website.
20 Also in January, Governor Brown appointed Jolie Onodera as the Deputy Secretary of Legislation
21 at the California Business, Consumer Services and Housing Agency.
22 As we begin a new legislative session several of DCA boards are scheduled for Sunset Review
23 hearings on February 27th and March 6th. The Department is scheduled for its hearing on
24 February 27th. The Bureau is set to sunset January 1, 2019 and will start the process next year to
25 prepare for sunset.
26 The Annual Report is available on the DCA website. This report includes all boards and bureaus
27 major accomplishments.
28
29 Public Comment: None.
30
- 31 8) Budget Report – Mr. Matt Nishimine, Budget Analyst, provided a copy of the Bureau’s fund
32 condition, revenue projection, and expenditure report. Mr. Nishimine reported the State prorata
33 has been added to the fund for transparency purposes. The Bureau has a projected savings of
34 \$120,000 for the current fiscal year. Additionally, the revenue is pretty much in-line with the
35 projections for the year.
36 Ms. de Vries asked if the savings will be less once a new Chief is appointed and Mr. Nishimine
37 answered it will. Ms. Federizo asked for clarification on the movement of prorata and Mr.
38 Nishimine answered it has been reallocated as a direct payment to the State and is not included
39 in the prorata section of the expenditure report.
40
41 Public Comment: None.
42
- 43 9) Legislative Update – Ms. Natalie Martin-Rojas, DCA Legislative Analyst, stated this is the first
44 year of a two-year session which ends in 2018. Ms. Martin-Rojas provided a handout with
45 legislative dates for spring 2017. The dates on the handout are specific to the first house only.
46 There is no current legislation which affects the Bureau at this time.
47 Ms. To asked what is Department wide legislation and Ms. Martin-Rojas explained these are bills
48 that affect multiple programs within DCA.
49
50 Public Comment: None.
51

1 10) Bureau Updates –

- 2 • Statistics – Ms. Montez presented and explained the statistics year-to-date for Fiscal Year
- 3 2016/17

AG Cases Initiated	3
Citations Issued	0
Complaints Received	71
Complaints Closed	48
Complaints Pending	116
Average Days to Close	186
New Licenses Issued	34
Active Licenses	711
Total licensed Issued	966

4
5 Ms. Federizo asked what percentage of complaints are against non-licensees, specifically, against
6 CPAs and Attorneys. Ms. Knight explained most complaints are non-jurisdictional or not a violation of
7 law and not a lot of them are against CPAs or attorneys.

8 Ms. Thomson asked if the AG Cases show the pending action on the licensee’s record and Ms.
9 Knight replied the action will show on the internet once the accusation is filed it becomes public
10 record.

11 Ms. Federizo asked if the licensee is required to notify clients once an accusation becomes public
12 record and Ms. Knight replied only if it is a stipulation requirement in the public document. Ms.
13 Federizo stated the consumers served by fiduciaries are not always competent and this is a
14 consumer protection issue. Ms. Knight replied this is getting off topic and this should be added as an
15 agenda item for a future meeting.

- 16
- 17 • Outreach – Ms. Montez reported the Bureau staff will be attending a Senior Scam stopper
- 18 event on February 22nd in Pittsburg, Shasta County District Attorney Fraud Fair in Redding
- 19 on March 7th, and a Smarter Senior Forum in partnership with the LA County Consumer
- 20 Affairs office on March 9th in Southern California. The Bureau also plans to attend the
- 21 2017 California Financial Literacy Fair at the State Capitol on April 12th and the
- 22 Professional Fiduciaries Association Education Conference on May 31st.

23
24 Public Comment: None.

25
26 11) Regulations Update – Sabina Knight, Operations Manager

- 27 • Client Notification – This regulation has been reworked, was noticed for a 15-day comment
- 28 period and will be reviewed by legal this week. Once approved by legal the regulation will
- 29 be sent to the Office of Administrative Law for approval.
- 30 • Advertising – This regulation has gone through an informal legal review. Once the Client
- 31 Notification Regulations are completed this packet will be started. This will provide a
- 32 definition of what advertising is and the requirements of licensed fiduciaries.
- 33 • Retired/Inactive License Status – The language for this regulation is being drafted.

34
35 Public Comment: None

36
37 12) Newsletter – Sabina Knight, Operations Manager, stated the newsletter is published once a year
38 and asked for article submissions or ideas to be submitted by April 1, 2017.

39
40 13) Review Business and Professions Code (BPC) Section 6511(f) and Discussion on How the
41 Bureau Can Best Use Committee Members in Bureau Duties – Sabina Knight, Operations

1 Manager, provided a copy of BPC 6511 and underlined subsection (f)(1-4) to emphasize the
2 mandate for the committee members. These are the committee member's duties and
3 responsibilities. Committee members should also contact the Bureau if there are ideas, problems,
4 or outreach events the Bureau should be aware of.
5 Ms. Chacon thinks once the Chief is appointed and the Strategic Plan is completed there will be
6 more opportunity for the Committee Members to assist the Bureau.
7

8 14) Future Agenda Items

- 9 -Percentage of complaints filed against licensees
- 10 -Notification of action against Professional Fiduciaries to clients
- 11 -Notification to the court when action is taken against a Professional Fiduciary
- 12 -Expanding licensee population

13
14 Public Comment: None.

15
16 15) Future Meeting Dates

- 17 -Wednesday, May 3, 2017
- 18 -Wednesday, August 16, 2017
- 19 -Wednesday, November 15, 2017

20
21 Public Comment: None.

22
23 16) Public Comment on Items Not on the Agenda – No public comment.

24
25 17) Adjournment – The meeting was adjourned at 10:47 a.m.