



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

Meeting Minutes

Committee Members Present

Wendy Hatch, Vice Chair
James Moore
Chi Elder
Bertha Sanchez Hayden
Denise Nelesen
Elizabeth Ichikawa

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 10:00 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, Ms. Bertha Sanchez Hayden, Ms. Denise Nelesen, and Ms. Elizabeth Ichikawa were present via WebEx. A quorum was established with six 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 –
The bureau should be investigating abuse of power complaints. A consumer stated there are several websites which advertise their services as licensees, but the license numbers do not appear on the bureau’s website
- 5) Reading of the Professional Fiduciaries Bureau Mission Statement –
Ms. May read the Bureau’s mission statement.

Public Comment: None.

- 6) Discussion and Possible Approval of the Advisory Committee Meeting Minutes from

December 2, 2020 –

Ms. Hatch requested a change to agenda item 13, changing “Further, he” to “Further, the” Ms. Elder motioned to approve the minutes with this change. Mr. Moore seconded the motion. A vote by roll call was made: Ms. Hatch, Mr. Moore, Ms. Elder, Ms. Sanchez Hayden, Ms. Nelesen, and Ms. Ichikawa were in favor. There was no discussion from the committee members and the motion carried with six 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 –

Mr. Ryan Perez, of Board and Bureau Relations, reported on the department’s Division of Investigations’ plan to review investigative timelines and staffing levels to identify ways to increase efficiency of their investigations. Updates will be provided to the bureau on their findings. Mr. Perez also reported on closures of offices due to pandemic. Additionally, the department was notified that all boards and bureaus will be taking a five percent budget cut due to the challenges of the pandemic. Board member orientation trainings continue to be held on a quarterly basis.

Ms. Nelesen asked for a timeline for the hiring of the investigative group and Mr. Perez stated the individual has already been hired and the work has begun.

Public Comment: A member of the public commented it was nice to see the hearing link on the bureau’s website, but once on that link, the consumer cannot search by bureau.

8) Budget Report – (This item was presented at the end of the meeting after item #13.)

Mr. Paul McDermott, DCA Budget Analyst, presented the budget projection report and fund condition for the Bureau. He stated the bureau’s budget is solid and the bureau is projecting a positive balance of months in reserve.

Ms. Hatch asked for an explanation of “other regulatory fees, license, and permits” and Mr. McDermott replied this would include application, licensing, and citation fine fees. Ms. Nelesen stated it appears licensing stays about the same that the committee should discuss ways to increase licensing numbers.

Public Comment: None.

9) Bureau Updates – Ms. May presented the Bureau’s statistics as of October 31, 2020.

- Application Licensing and Enforcement Statistics –

July 1, 2020 – October 31, 2020	
New Licenses	25
Active Licenses	772
Total Licenses Issued	1,191

New Applications Received	27
AG Cases Initiated	0
Citations Issued	4
Complaints Received	49
Complaints Closed	15
Complaints Pending	114
Average Days to Close Complaints	200

- 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. The newsletter should be up in the coming days and a notice will be sent to the bureau’s interested parties list once the newsletter is posted
- Bureau Performance Measure Goals for Complaint Response Times – Ms. May stated that all complaints received are required to be investigated. Performance measure goals have been established but these goals are not hard deadlines. The bureau is currently meeting each of the performance measure goals.
- Legislative Update – Ms. May stated there were no legislative updates due to the timing of the legislative session.

Public Comment: A member of the public commented that the bureau refuses to investigate elder abuse where law enforcement fails to respond. Ms. May responded that the bureau does not have the authority to prosecute criminal acts and cannot compel law enforcement to prosecute.

10) Proposed Rulemakings Update –

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 review with the Office of Administrative Law and will be posted to the bureau’s website and noticed to the interested parties list after the first of the year.

Public Comment: None.

11) 2021 Chair and Vice Chair Advisory Committee Elections –

Ms. Hatch nominated Ms. Elder for Chair and there were no additional nominations. A vote by roll call was made: Ms. Hatch, Mr. Moore, Ms. Elder, Ms. Sanchez Hayden, Ms.

Nelesen, and Ms. Ichikawa were in favor. There was no discussion from the committee members and the motion carried with six votes.

Ms. Hatch nominated Ms. Sanchez Hayden for Vice Chair and there were no additional nominations. A vote by roll call was made: Ms. Hatch, Mr. Moore, Ms. Elder, Ms. Sanchez Hayden, Ms. Nelesen, and Ms. Ichikawa were in favor. There was no discussion from the committee members and the motion carried with six votes.

Public Comment: None.

12) Future Agenda Items –

Ms. Cuadra stated there were no items recorded during this meeting for future meetings.

Public Comment: None.

13) Future Meeting Dates

- Wednesday, March 10, 2021
- Wednesday, June 16, 2021
- Wednesday, September 15, 2021
- Wednesday, December 8, 2021

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

Public Comment: None.

14) Adjournment – The meeting was adjourned at 10:55 a.m.