

Mr. Becker further reported that the Department records reflect that 36,000 licensees have activated their accounts on line. Mr. Becker stated that this is about ten percent of the licensees that have been moved to the new system. He added that without any media advertising, the Department has been able to attract a large segment of the licensed population to log in, set up accounts and perform transactions on-line. Further, he stated that over 100,000 callers have used the self-service phone system, which is saving numerous man-hours, enabling employees to assist customers in other ways, stating that this is roughly thirty-five percent of the calls received.

Mr. Becker stated that the Department plans on attending a number of local FAR chapters, and setting up a booth to demonstrate how to utilize the on-line system and added that the Department has already registered for the FAR conference in August.

Mr. Becker stated that Pat Parker, Director of Communications and her staff were present to demonstrate the on-line system. He encouraged brokers and salespersons to register if they are not currently set up on-line.

Mr. Becker also informed the Commission that the Department's budget which passed on Monday, is approximately \$128 million, an approximate \$3-million dollar deduction from last year. He reported that the full time employees for the Department will total 1,568. Mr. Becker encouraged Director Johnson to send the Commission a copy of last year's budget so that they can compare it to this year's budget when it become available. Additionally, he stated that the Department would be developing its spending plans over the next few months and he welcomes the Commission's input as it relates to the Division.

Finally, Mr. Becker informed the Commission that the Department plans meeting with all the Board Chairs to discuss major issues and concerns, on a quarterly basis. At the May meeting, the main topic of discussion concerns the budget.

Commissioner Valdes expressed his concerns about the new system, specifically regarding brokerage relationships or lack thereof. Mr. Becker stated that he would look into it and get back to him.

Commissioner McDonnell reported that the Secretary had mentioned that one of the benefits of being the first state in the nation reengineering its system is that the State of Florida will be an example for other states. She added that the Secretary stated that since Florida would be the first state to use this system, it would receive funding when other states buy the same program. Mr. Becker stated that was correct. He added that the Department, however, would not show any profit in this year's budget.

Commission Valdes inquired as to what is the will the benefit of this system other than saying the Department is high tech. Mr. Becker responded that the benefit is the ease of use to the million or so licensees because it is customer friendly in that the customer may log in to the system at their convenience and make changes to their license or renew, when applicable. He added that the Department is saving man-hours but ultimately the Department is saving the customer and the licensee a lot of frustration trying to access various services the Department

provides. Mr. Becker then asked the Commission if it had any other questions, there being none, Chairman Powell directed Nancy Campiglia to proceed with the Legal agenda.

Legal Matters

Upon recommendation of the Legal Section, the Commission unanimously issued 31 Escrow Disbursement Orders (EDO) and 4 Orders of denial. A list of the Orders is attached to the official minutes.

At approximately 9:00 a.m., the Commission took up the Legal Agenda, consisting of 16 cases. It heard 13 cases, continued 1 and withdrew 2. The Commission's decisions on these matters are attached to the official minutes.

FREC Counsel

FREC Counsel Daniel Villazon presented Mr. Michael Miscio's request for reinstatement of a null and void license. Mr. Miscio presented his mitigation. The Commission stated that it does not have the authority, regardless of the circumstances, to reinstate a null and void real estate license.

Mr. Villazon presented a request from Warren W. Dill, Esquire and recommended that the Commission not issue an opinion in this matter offering to draft a letter outlining the proper procedure.

Mr. Villazon presented a request from Sally A. Larson and, again recommended that that the Commission not issue an opinion in this matter offering to draft a letter explaining possible remedies.

Mr. Villazon presented the following rules for discussion:

- 61J2-1.014 – The Commission unanimously approved proceeding with proposed rulemaking as presented.
- 61J2-2.027 – The Commission recommended proceeding with proposed rulemaking as presented.
- 61J2-2.031 – The Commission recommended proceeding with proposed rulemaking as amended.
- 3.008 – Mr. Villazon recommended that the Commission withdraw the rule development and approve re-advertise for a rule development workshop. Commissioner McDonell moved to approve and notice a rule development workshop for the next available meeting. Commissioner Sanchez seconded it; it carried unanimously.
- 3.009 – Mr. Villazon recommended that the Commission withdraw the rule development and approve re-advertise for a rule development workshop. Commissioner McDonell moved to

approve and notice a rule development workshop for the next available meeting. Commissioner Sanchez seconded it; it carried unanimously.

- 3.015 – Mr. Workman stated that the changes were made to accommodate the Department’s CE monitoring program and to conform with the one hundred percent monitoring. He added that these changes would bring the rule into compliance with the Department’s statute. The Commission recommended proceeding with proposed rulemaking as amended.
- 5.016 – The Commission recommended proceeding with proposed rulemaking as amended.

Next, Mr. Villazon requested that the Commission approve a rule development workshop for 61J2-3.020. Commissioner McDonell moved to approve. Commissioner Sanchez seconded it; it carried unanimously.

Mr. Villazon asked the Commission to approve 17.012 for repeal. Commissioner McDonell moved to approve. Commissioner Sanchez seconded it; it carried unanimously.

Bureau of Licensing

The Commission considered the Summary of Applicants Consent Agendas, at approximately 1:00 p.m., unanimously approving Consent Agenda #1 and requiring one from Consent Agenda #2 to appear before it. Jeannie Adkinson, Regulatory Specialist I, presented the Summary of Applicants requesting to sit for the real estate examination. The Commission’s orders on these matters are attached hereto and made a part of these minutes.

The Commission received the following reports in writing: Interim Report, Education Report, Enforcement Report, Legal Section Activity, and Escrow Section Activity.

There being no further business and no objection, the Chair adjourned the meeting at 4:45 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for June 19, 2002, in Orlando Florida.

Marie Powell
Chairman

Buddy Johnson
Division Director

Written by:

Lori Crawford
Deputy Clerk

