

Notice of Proposed Rule

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Regulatory Council of Community Association Managers

RULE NO: RULE TITLE

61E14-4.001: Continuing Education Renewal Requirements

PURPOSE AND EFFECT: The rule amendment is proposed to improve licensee's continuing education by requiring at least ten (10) hours of the required continuing education be in an approved classroom setting. The proposed rule amendment also requires licensees who receive a license after January 1, 2010, who would otherwise be exempt from continuing education requirements until the September 2012 biennium, to take an annual legal update course.

SUMMARY: The rule amendment will require at least ten (10) of the required twenty (20) continuing education hours per biennial licensing period to be taken in an approved classroom setting. The rule amendment will also require licensees who receive a license after January 1, 2010, who would otherwise be exempt from continuing education requirements until the September 2012 biennium, to take an annual legal update course during years 2010 and 2011.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Anthony Spivey, Executive Director, at the address listed below. The following is a summary of the SERC:

- Approximately 11,000 Community Association Managers (CAM) and all licensed Community Association Managers renewing their licenses each biennium will be affected.
- The only costs to be incurred by the agency are rulemaking costs. No effect on state or local revenue is expected.
- No transactional costs are expected to be incurred by applicants or other entities by the proposed changes to the rule.
- Approximately 5,000 small businesses will be affected. No small county or city will be impacted by the rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: [455.2123](#), [455.2124](#), [468.4315\(2\)](#), [468.4336](#), [468.4337 FS](#).

LAW IMPLEMENTED: [455.2123](#), [455.2124](#), [468.4336](#), [468.4337 FS](#).

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-4.001 Continuing Education Renewal Requirements.

Each hour shall consist of 50 minutes of student involvement in approved classroom, correspondence, interactive, distance education or internet courses which courses shall include the required hours at an approved update seminar. No license shall be renewed unless the licensee has completed the required continuing education during the preceding licensing period.

(1) All community association manager licensees must satisfactorily complete a minimum of 20 hours of continuing education, 10 hours of which must be in an approved classroom setting.

(2) Only continuing education courses approved by the Council shall be valid for purposes of licensee renewal.

(3) The 20 hours of continuing education shall be comprised of courses approved pursuant to Rule 61E14-4.003 ~~61-20-5082~~, F.A.C., in the following areas:

(a) 4 hours of legal update seminars. Licensees shall satisfactorily complete a 2-hour legal update seminar during each year of the biennial renewal period. The legal update seminars shall consist of instruction regarding changes to Chapters 455, 468, Part VIII, 617, 718, 719, 720 and 721, F.S., and other legislation, case law, Florida Administrative Code, arbitration cases, mediation cases, ethics and regulations impacting community association management. Licensees shall not be awarded continuing education credit for completing the same legal update

seminar more than once even if the seminars were taken during different years.

(b) 4 hours of instruction on insurance and financial management topics relating to community association management.

(c) 4 hours of instruction on the operation of the community association's physical property.

(d) 4 hours of instruction on human resources topics relating to community association management. Human resources topics include, but are not limited to, disaster preparedness, employee relations, and communications skills for effectively dealing with residents and vendors.

(e) 4 hours of additional instruction in any area described in ~~subsection paragraph (3)(b), (c) or (d)~~ of this rule or in any course or courses directly related to the management or administration of community associations approved pursuant to Rule 61E14-4.003, F.A.C.

(4) No licensee will receive credit, for purposes of meeting the continuing education requirement, for completing the same continuing education course more than once during two consecutive biennial renewal periods.

(5) Course instructors may receive continuing education credit hours in the amount of hours approved by the Council for licensees only once for each course taught by the instructor during two consecutive biennial renewal periods every renewal period for each approved course taught by the instructor.

(6) Anyone licensed for more than 24 months at renewal time will be required to have complied with the CE requirements set forth in subsection (1), above, prior to renewal. More than 24 months, means 24 months plus 1 day. Licensees licensed for 24 months or less at renewal time are exempt from compliance with the CE requirements set forth in subsection (1), above, until the end of the next renewal cycle. Beginning September 2010 all licensees licensed after January 1, 2010, must take the legal update courses required in paragraph (3)(a) every year, without regard to the exemption set forth in subsection (6).

~~(7) A licensee shall retain, and make available to the Department and its representatives upon request, continuing education course certificates of completion that comply with paragraph 61-6.015(4)(a), F.A.C., for three years following course completion.~~

~~(8) All licensees shall comply with all applicable provisions of subsections 61-6.015(2) and (3), F.A.C. Rulemaking Specific Authority 455.2123, 455.2124, 468.4315(2), 468.4336, 468.4337 FS. Law Implemented 455.2123, 455.2124, 468.4336, 468.4337 FS. History--New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.008, 61B-55.008, Amended 10-18-99, 3-13-00, 2-21-01, 7-21-03, 4-25-05, 2-28-07, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 22, 2009