

THE CYBA NEWS

April - June 2021

The California Yacht Brokers Association Newsletter

It's Baaack!

By Peter Zaleski, V.P., CYBA

The San Diego Broker's Forum has returned after a long, Pandemic driven, shut down. For over 20 years the marine industry has gathered to share information, camaraderie and great food.

It started as a small group of brokers getting together with coffee and doughnuts.

It has grown to a sponsored luncheon with past CYBA President, Jim Johnson as Master of Ceremonies at Steve Rock's Fiddler's Green.

Meeting 10 times a year, on the last Thursday of the month (November is skipped for Thanksgiving and the Annual Christmas Party is held in December).

Starting at 11:30 sharp (it's always best to be early because as many as 100 guests will vie for the best seats) in the beautifully decorated Shelter Island Restaurant.

The lunch is sponsored by marine industry professionals that have the opportunity to speak to



an influential audience. Past sponsors have shared information on a wide variety of marine products, upcoming boat shows, marine insurance and lending sources. There are few sponsorship open-

ings available for later this year. If you would like more information, please contact Jim or me.

We look forward to seeing you!

Stay Or Go?

By Jeff Merrill, CPYB

The inventory of equipment, gear and accessories of any boat listed for sale is important to clarify, but often difficult to



ascertain. The seller has decided to sell, but until they close it's still their boat and they may leave many personal belongings aboard.

A good listing write-up by an experienced broker will provide a description of the major equip-

ment, brands and models. There are always a lot of "loose" items that are not mentioned in print, but are part of the complete outfitting of the boat. What do I mean? Convenience items like

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from the PRESIDENT

**George Sikich, CPYB,
Kensington Yacht & Ship Brokers**

As we approach the aftermath of COVID, we are starting to see what normalcy may look like. We finally had our first 'in-person' Board of Directors meeting in over a year and a half. We fully anticipate getting back to our regular routine by the fall: legal seminar, annual dinner and boat shows.

The CYBA sponsored boat show will presumably be in April of 2022.

In a very alarming note, Geico Marine announced they are no longer distributing their boat insurance product through agents and brokers, but instead are moving to a direct writing only model.

Beginning with policies expiring August 19th, 2021, all policies will receive notices of non-renewal in accordance with state rules for a required notice period in advance of their policy expiration date. As an informed yacht broker, you must be aware of the changes that will affect your clients. Policies are being cancelled right and left. Following are a few examples: boats over 30 years old, liveaboards, boats in an LLC, multihulls, and boats in a six-pack charter. You need to confer with an insurance professional to see how to maneuver through these restrictions to find adequate coverage for your clients. Being proactive here will definitely set you apart in the industry.

The booming boat market has brought out the best and the worst in us. Brokers have realized the strategic position they are in, when having an exclusive listing. I have received several calls in which a broker has a client that wants to be represented by them and they call the listing broker who says they will not co-

op. Greed has overtaken ethics and decorum. The desire to double dip has completely infested our industry. The most common phrase on a listing is "Not available for co-brokerage". We are shooting ourselves in the foot with this mentality. I certainly understand the desire to be a dual agent, twice the commission is nice. However, this attitude is appalling and as unprofessional as could possibly be.

I understand brokers feel they have some entitlement to that listing and feel they can dictate how to proceed with the listing, after all they did get the listing. In what world is this best serving the client or our industry for that matter? We have brought this to the attention of the DBW, to no avail. The DBW said they would have to re-write this into The Harbors and Navigation Codes, which is not going to happen.

The canned response was we should self-police. I, nor anyone else has the authority to tell another brokerage how to conduct their business. What's the solution? I guess in a perfect world we would establish guidelines such as higher commission percentage to the listing broker, start a minimum value of say 50K, are just a few examples, the important issue is getting a workable compromise. The notion that the brokers greed exceeds the interest of the buyer is absolutely absurd. We work for our clients, not the other way around. I hope we can successfully come to an industry standard at the CYBA. We have always prided ourselves for being the most ethical organization in our industry and getting in front of conflicts, not lagging behind.

Stay Or Go?... (cont. from page 1)

boat hooks, hoses, binoculars, hand held electronics, paper charts and guide books along with decorative items like throw pillows and bed spreads, in addition to creature comforts like blankets, towels and deck chairs, the ever present assortment of cleaning supplies, as well as galley appliances such as a toaster, blender, pots and pans, etc. The "etc." stuff is typically a long list of things that MAY or MAY NOT be included in the sale. If something aboard is not part of the deal, the new buyer will need to factor those acquisitions into their budget. Whatever they see aboard during the survey, they may presume is included.

On survey day, most buyers are overwhelmed by the complexity of electrical breakers, fuel valves and the enormous size of the boat when the entire hull is lifted out of the water during haul out. Buyers are desperately trying to soak it all in; listening to what the surveyors are finding and wondering what they have gotten themselves into. It's an exciting time that is intimidating and confusing. Buyers will be curious, opening lockers and drawers to see what is there and find locations where they can stow their own possessions. Your job as a broker is to escort them through the process and keep them focused on what needs to happen to keep the transaction on track.

Since most listings don't go into the details that can ultimately cause confusion and disappointment that leads to favoring one party over the other, it is important to help clarify the seller's intent on what will convey. Try to minimize details subject to interpretation. I like to add the following condition to the purchase and sale agreement:

All "boat related" equipment remains with the VESSEL; however, this does not include items specifically excluded in the listing specifications. This

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Keeping Your Favorite Life Jacket?

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Your buyer doesn't want the sellers clothing and probably doesn't have a desire to keep stale provisions, but they do expect that boat tools, spares and anything built-in to be considered part of the sale. We have to avoid the devastation and negative experience that we've all heard about when the new owner grabs the key to their expensive new pride and joy, only to find out the boat has been stripped (some sellers even

remove the USCG safety equipment)! Not the first impression of boat ownership any broker wants their buyers to experience.

The language we use is primarily at fault. So many times, when asked about the future status of a piece of gear, I've heard the listing broker or seller say, "That's goes" or "That stays". They know what they mean, but it is open ended and subject to interpretation. Does "that goes/stays" mean the item goes or stays with the owner, or with the boat? It's not clear. To solve this dilemma, I've come up with two words that simplify and clarify. Removed and Remain. If something is on board and the seller is going to keep it, that will be removed. If the seller is going to leave behind gear on the boat that is in question, that will remain. No one is looking for a free-be or an unreasonable gift, but it should be a broker responsibility to clear up any questions



Does that expensive anchor stay?

about the final inventory.

As you work through your next deal and the "Stay or Go" conversation comes up, it's up to you to interject the terms REMOVED and REMAIN so that everyone knows what is included.



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Increased Boater Fees?

Beau Biller, Platinum Advisors (CYBA Government Lobbyists)

Faced with the Department of Parks and Recreation Budget Change Proposal (BCP) in January, members of the boating organization(s) community engaged Administration staff to make the case for structural budget changes to the Division of Boating and Waterways. The January proposal contained a 250% fee increase on boaters and some moving around of monies that went to programs also contentions among boating organizations.

A meeting was convened in May with the Director of Parks, budget and Department staff and members of the boating stakeholder group. Although the boating groups generally felt solving the budget imbalance on fee increases and a modest General Fund transfer was shortsighted the groups broadly endorsed the formation in statute of a stakeholder group with official status and reporting requirements. This group would have a venue to deliberate on issues such as the revolving loan fund, AIS, beach erosion, fuel taxes and other issues. As a result of this meeting the Governor published this in his May Revision:

Governor's Proposal. The May Revision requests



\$10.7 million General Fund in 2021-22, 2022-23, 2023-24, and 2024-25 to cover costs associated with the aquatic invasive species (AIS) program and \$10 million General Fund in 2023-24 and 2024-25 to fund Davis-Dolwig Transfers. Also included in this request is a proposal to reduce to the vessel registration fee increase proposed in the 2021-22 Governor's Budget. Parks, Division of Boating and Waterways (DBW), requests an addendum to its Governor's Budget Fiscal Stability for Boating Programs proposal that reduces the previous increase to vessel registration fees to align with activities associated with registration such as Department of Motor Vehicle (DMV) Costs, Financial Aid Programs, and associated overhead, and to fund broader obligations such as AIS treatment and Davis-Dolwig liabilities from General Fund. This proposal retains the previously requested \$20 million General Fund proposed for Davis-Dolwig transfers, as well as the suspension of the public and private loan programs, the public beach restoration program, and expenditure reductions for state operations and local assistance grant programs. The Governor's Budget proposal increased the vessel registration fee from \$10 to \$35 on an annual basis. Pursuant to this addendum, the vessel registration fee would increase from \$10 to \$20 on an annual basis. This proposal

(cont. on next page)



Our West Marine Pro California Sales team would like to thank the CYBA for allowing us to be a partner.

Here is a list of our California sales team that are here to serve you:

West Marine Pro Contacts

San Diego Amanda Denton (760) 815-6611 AmandaD@westmarine.com	San Pedro to Santa Barbara Mona Freedman (310) 905-4730 MonaF@westmarine.com	North San Francisco Bay Kermit Shickel (510) 375-8297 KermitS@westmarine.com
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Living On The Water

From an article in *SF GATE* by Tessa McClean

It's no secret that Bay Area living is expensive, so much so that many people are leaving or coming up with some very creative solutions. If you've ever searched for a new apartment online, you've undoubtedly come across a place where the images make your jaw drop at the photos and price - and NOT in a good way. Even as rent has hit a historic decline in San Francisco, I'm here to remind you that the median two-bedroom rent is still more than double the national average. Welcome to the series

(cont. on Page 12)



Liveboard Carver as advertised

results in fund solvency through 2024-25. (But the Governor's budget is merely a suggestion for the Legislature to review and comment on.)

Staff Recommendation. Reject the Governor's proposed trailer bill language to increase vessel fees. Instead, provide an additional \$9.3 million General Fund annually from 2021-22 to 2024-25 to support the Harbors and Watercraft Revolving Fund (for a total transfer from the General Fund to the Harbors and Watercraft Revolving Fund of \$30 million annually from 2021-22 through 2024-25). Adopt Budget Bill language that requires Parks, in consultation with stakeholders and staff of relevant fiscal and policy committees of the Legislature, to develop a proposal that includes a combination of fee increases, expenditure reductions, and other actions designed to keep the fund in structural balance on an ongoing basis. The Budget Bill language shall also require the department to present this proposal to the Legislature for consideration no later than January 10, 2023.

So, no fee increase, more backfill and a stakeholder group that we hope to help define in the weeks to come. It's not over as I write this. The Assembly still needs to adopt the same language and ultimately the Legislature must send a budget to the Governor for his signature.



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~ STUDY SESSION AND TESTING ~

**Contact Jeff Merrill or Nick Friedman
for next study session & exam.**

The CYBA is conducting a study session, immediately followed by the examination, for all those interested in becoming Certified Professional Yacht Brokers. This will be our first available session in response to the great interest in this worthy program.

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For complete information, including study materials, applications, and required qualifications, please visit the National Yacht Broker Certification website at www.cpyb.net. There you will find all the forms you need in a downloadable format.

If you have any questions, please contact one of the CYBA's Members on the Certification Advisory Council:

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You may also respond to cpyb@cyba.info or contact any CYBA Board Member. The National Yacht Broker Certification office needs time to process your application and to perform your background check.

Brokers wishing to attend the study session, but who are not testing, are welcome. However you must reserve a space! Seating is limited!

NOTE: This session is for CYBA Members only. If you are not yet a Member, and would like to join, contact the CYBA office immediately @ 800-875-2922.

Top 100 Dealers



For the last 16 years, Boating Industry has recognized the best dealers around North America through its Top 100 Dealers program. This program gives dealers the opportunity to be recognized in front of the entire industry, national media and consumers everywhere. As the only independent ranking of boat dealers in North America, the Top 100 pro-

gram evaluates dealerships on a host of qualitative and quantitative information.

Now in its 17th year, Boating Industry is once again looking for the best dealers across North America. With that in mind, Boating Industry and Volvo Penta wanted to invite and encourage your dealership to apply for the 2021 Boating Industry Top 100.

Being the "best" doesn't mean you need to have the most sales, the greatest volume or the highest profit. It does, however, mean that you focus on those things that set you apart from your competition: professionalism, customer service, marketing and overall business operations.



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Proposed Marine Protected Areas

A global movement to create additional marine protected areas (MPAs) has been steadily gaining traction in recent years, with the initiative picking up milestone victories in the past few months.

In January, newly inaugurated U.S. President Joe Biden signed an executive order committing to a "30 by 30" goal, whereby the United States would designate 30 percent of its land and territorial waters to conservation by the year 2030. The move heightened the potential that MPAs will be used as a tool to tackle climate change.

A recent study supports the hypothesis that MPAs could be beneficial for climate change, maintaining biodiversity, and boosting the yield of fisheries. According to the study, strongly protecting at least 30 percent of the ocean – primarily in the 200-mile exclusive economic zones of coastal nations – would result

in substantial environmental and commercial benefits.

A (excerpt) response from Ray Hilborn: "If you look at what the threats to the oceans are, they're ocean acidification, climate change, invasive species, various kinds of pollution, land runoff, and none of those are impacted by MPAs," Hilborn said.

A great example is the large dead zone that forms in the Gulf of Mexico every year. The dead zone is created by excess nutrient pollution from agricultural areas – mainly related to fertilizers washed into the gulf through the Mississippi River and other inland waterways. An MPA in the area to protect that environment would have no effect on the biodiversity of the ocean in the region. You could make it an MPA and ban everything, you could ban ship-ping, you could ban mining, you could ban fishing, and you'd have no effect on the dead zone.

You don't need no-take in order to protect the biodiversity. Again, high profile things, marine birds, marine mammals, turtles, sharks, those are things where there's very specific – gear specific – things that impact them," he said. "Closed areas aren't going to help, because they're all so mobile."

Original complete post: <https://www.seafoodsource.com/news>

A contribution from Dean West, past CYBA President and San Diego Broker:

All California recreational fishing enthusiasts need to be aware of political actions intended to increase MPAs (marine protected areas). Since their inception, scien-



(cont. on page 10)

SHIP HAPPENS! REAL LIFE STORIES FROM THE BOATYARD!

KAPTAIN KKMI? HELP! I WAS SLEEPING ON MY BOAT AND WOKE UP TO WATER EVERYWHERE! I THINK I'M SINKING!

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tific review has challenged the benefits and questioned the faulty research and analysis that went in to creating these massive exclusionary zones along our California coastline. Ray Hilborn points out some of the glaringly false assumptions commonly touted by the forces seeking to render more and more coastal areas inaccessible to the recreational fishing community.

Without pushback, saltwater sportfishing as we know it could disappear, as close-in, reachable areas to private and charter fishing boats could be restricted and closed, leading to no fishing areas within a safe, manageable distance, and greater congestion and strain, as well as higher costs, at the remaining coastal areas close enough to access the unrestricted and open fishing areas.

Please stay informed and voice your objections when able. Please feel free to pass this along.

Odds And Ends Involving The Contractural Side Of Our Business

**By Dennis Moran,
CYBA Arbitration
Administrator**



The majority of successful yacht brokers has good people skills and knows how to connect with a buyer and get him excited about buying a boat. When it comes to all the boilerplate paperwork involved in a typical transaction, some things tend to get overlooked or ignored in the final dash to get the deal closed. It's the attention to the smallest details that will keep you out of trouble.

LLC-owned Vessels

Let's start with one of our favorite subjects: LLC-owned vessels. As most of you know, there is a major potential benefit to buying an LLC-owned vessel in California and, over the past

decade, we've seen a substantial increase in the number of LLC-owned vessels. This means a significant number of your listings could be LLC-owned. In this case, who do you have sign the listing agreement? More often than not your client, the "owner," says he's the one who will sign the listing and you leave it at that. But how do you know the person representing himself as the legal owner of the vessel really has the authority to sign the listing? The quick answer is, unless you are a maritime attorney, you're probably not qualified to make that determination. Behind every LLC there is an operating agreement, and each one can be substantially different with very detailed legal terminology. Are you going to be able to look at a very complicated 25-page legal agree-

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ment and make a determination as to who really has authority to sell the boat? Is the LLC operating agreement manager-managed or member-managed? How do you know that the LLC is active and in good standing? Are there multiple members who will need to sign the listing agreement regardless of what the client you're dealing with says?

The first step is to request a full copy of the current LLC operating agreement. Once you have it in hand, you need to reach out to a maritime attorney and have him review the agreement to determine who is authorized to sign your listing agreement. If you've been in business for a while, it's almost certain you've had LLC transactions and have established a relationship with a California maritime attorney. If you've given him business he may be willing to do a quick look at the agreement, at no charge,

only to determine who is authorized to sign the listing. Also, you can ask the "owner" which law firm he used to set up the LLC and reach out to them first. They typically can quickly retrieve and review the operating agreement and give you the answer you need.

One final point regarding listed boats owned in an LLC: in any of your advertising or promotions of the vessel never use the word "TRANSFERRABLE" when describing the LLC ownership status. You are not qualified to determine whether the terms of the existing operating agreement will allow a transfer of the entity. You are safe in saying: "LLC OWNED" and if you submit an offer from a buyer who wants to buy the LLC, that confirmation of transferability should be a condition of the purchase agreement. Prior to any buyer due diligence (sea trial, surveys), it should be confirmed by

a maritime attorney that the LLC is, in fact, transferrable. Again, if possible, always try to contact the maritime attorney who set up the LLC operating agreement for the seller to confirm transferability.

Broker Trust Accounts

Switching to broker trust accounts, last year a long-time member broker passed away unexpectedly. At the time of his passing, he had 3 or 4 transactions under way. As required by the state, he had a separate trust account at one of the major banks. In that trust account were 4 or 5 buyer deposits, well into five figures, related to on-going transactions. His daughter was executor of his personal estate but had no status relating to the broker trust account. Buyers who had deposits in the trust account attempted to deal directly with the bank but the bank could not legally distribute any of the funds

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as the only legal signer of record on the account was the deceased broker. As of the date of this newsletter, we have not received any updates on the deposit refund status. The take-away from this is clear: if you are the sole authorized signer on your trust account, either add a trusted party to the account or have a power of attorney drafted, naming a trusted party (family member, accountant, etc.) to have legal access to the account in the event of a similar occurrence. Make sure the bank has a copy of the power of attorney.

Operation of Vessel Under Contract

Finally, we have received complaints in the past involving operation of a vessel under contract after surveys have been conducted. The standard assumption is that the seller will not consider running the boat after surveys, but you would be surprised how

often this takes place. The buyer's surveys (hull, mechanical, rig, etc.) generate a "snapshot" of the boat's condition as of the date of survey. The buyer relies on this condition report to decide to go forward with the purchase, reject the boat due to poor condition or ask for a survey allowance. So, what happens when the seller decides to take "one last" cocktail cruise after surveys without notifying the brokers or buyer? Say he accidentally runs aground and tweaks the propellers or scrapes the topsides coming into the slip. As we all know too well, there are dozens of things that can go haywire anytime a boat is being used. Does he fess up and do the right thing or does he hope nobody notices and plays dumb.

It is highly recommended that you always add a clause in the purchase agreement "Other Conditions" paragraph to the effect: "Vessel not to be operated

after date of survey until date of close without the express written permission of the buyer". If the boat needs to go out for a second sea trial to confirm a repair, or for any other reason, always get the buyer's written permission first.

I hope these suggestions will assist in smoothly closing your transactions by eliminating the unknowns - plus you'll sleep better at night!

Bill Introductions

ACR 86, (Gibson D) California Fishing and Boating Week.

Introduced: 5/19/2021

Summary: This measure would proclaim the week of June 5, 2021, through June 13, 2021, as California Fishing and Boating Week.

Living On The Water... (cont. from page 6)

we're calling, "Guess how much this rents for in San Francisco."

This "floating loft" in Sausalito is for rent on Craigslist.

It's actually a 33-foot Carver Mariner fishing boat named Pearl. The slip is at Bridgeway Marina at 225 Locust St. in Sausalito.

It's "walking distance to markets, restaurants, bars, shopping, beaches, a 10 min walk to the ferry and the SF bus stop is across the street."

Rent includes slip fee, electricity & bi-monthly septic pump out.

It goes for... drumroll... \$2,000 a month! A real estate site reported the median rent of a one-bedroom in Sausalito is \$2,800.

...Editor: OMG! This explains a lot of what we are currently seeing (North & South) and one part of our client base. It's not a new phenomenon but is even more apparent these days, especially with covid eviction moratoriums lifting and rent control ceasing. The only



Flybridge becomes a Solarium?

light is that some marinas are offering more 'liveaboard' availability despite a government-imposed limitation. Maybe, to make it fun, we need a cable show like 'Our Town' giving remodel ideas and making living aboard more of a style move and shedding the vision of cranky old pirates nesting on old sinking tugs?



Tight kitchen space!

Do You Want To Raise Your Game?

By Jeff Merrill, CPYB

Being a yacht broker is an incredibly satisfying job. Fun people to interact with, near the water and hanging aboard on cool boats. What's not to like?



California is the only state that requires anyone interested in selling used boats to take and pass a competency test. To get your California yacht sales license you already did this and you can also go to the next level and study for the California yacht broker license. Yes, we all call ourselves yacht brokers, but technically, the true California yacht broker has passed both tests.

As the yacht sales market continues at an incredible pace, good listings and good boats are getting harder to find. It's not uncommon to look outside of your traditional region and maybe even travel out

of state with your clients.

Florida is the only state where you are not welcome, in fact it's against the law to do a boat deal in Florida if you aren't licensed there. Most people know this, but not everyone complies, it's really a sad reflection on a person's character and ethics if they don't follow the rules, but that's not the point of this message.

Right now you are too busy, but you are getting a lot of experience and with each deal you close your confidence increases. If you are finding yourself traveling more, please consider going for the ultimate yacht broker credential – CPYB (Certified Professional Yacht Broker). You can be a California sales person or a California yacht broker to sign up for this test. Your CYBA membership gives you a discount on the process.

There are over 360 licensed people selling boats who are members of the CYBA. Those who

aren't members of the CYBA are typically working the back waters.

There are only a handful (21) of California brokers state wide, who have studied, passed and maintained the continuing education requirements of the CPYB. It is not an easy exam - you have to have been in the business for three years and know your way around boats and boating transactions. Once you pass, you have to renew every three years. The effort is too much for most, so they blow it off.

If you have a desire to get better and stay informed this is for you. It is minimal effort to log on to CPYB.net to learn more.

For me, becoming a CPYB transformed my career. I didn't think I needed to take another test, who does? However, having the CPYB designation has opened doors when I travel. One of the first questions a broker from an-

(cont. on page 14)



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Boat Donations

The Marine Programs at the Orange Coast College School of Sailing and Seamanship is located at the Newport Beach Campus. OCC is one of the nation's largest nonprofit public boating education institutions with a fleet of power and sailboats comprised of donated vessels and those purchased from proceeds of other gifts.

If you, or a client, are interested in donating your boat, please contact Brad Avery the Director of Marine Programs. He can be reached at (949) 645-9412 or email him directly at bavery@occ.cccd.edu.

(photo: OCC's Training Vessel Nordic Star)



ORANGE COAST COLLEGE

other state asks me is, "Are you a CPYB?"

If you travel to Seattle, Annapolis or Fort Lauderdale, you will connect with CPYBs. For those not from California, it is the only test they can take to prove they are verifiable yacht brokers.

If this is your career and you want to be at the top of your game, you are short changing yourself if you don't try to achieve this level of respect. In California, less than 5% of all licensees have accomplished this. It is an elite group and we'd like you to join us. Every California CPYB has elevated their success and become better brokers.

No, I get it, you don't have time to do this, no one does. No, I understand, you don't want to spend money and time to study for a test. No, it probably doesn't matter, you can just sit back and stay busy until we run out of boats. You can make up all of the reasons why not, try coming up with

a few on why you should.

What is important to you as a yacht broker?

How far do you want to take your yacht broker success?

The CPYB program is offered to members of all seven North American yacht broker associations. The CPYB designation is the only true industry standard, recognized around the world. It is the yacht broker measure of excellence, something great to aspire to.

If you are ready to step up your game, please give me a call and I'd be happy to discuss this with you. There are three CYBA brokers who are on the national CPYB committee, myself, Nick Friedman, CPYB and Morrie Kirk, CPYB. Each of us has volunteered as a CYBA president and also renewed our CPYB status every three years to stay current. You can connect with any of us, our contact information is below.

It's a similar difference be-

tween being an accountant or a CPA. In our business, this is one title that almost anyone can try for, but only the truly dedicated commit to this accomplishment.

Our current CYBA president, George Sikich, CPYB and his predecessor as president, Mik Maguire, CPYB are in this group. In this article I've named five of the twenty-one, why don't you join this small group of over achievers?

You can come up with all of the excuses why you don't need to do this, or, see the light and work to become one of the best in the business. There is no deadline, you can procrastinate and never do it, or you can commit and make a name for yourself. Your call, but if you aren't sure, give me a call.

Jeff Merrill, CPYB – Jeff@JMYS.com – 949.355.4950

Morrie Kirk, CPYB – MPK@bayportyachts.com - 714.612.1137

Nick Friedman, CPYB – yachtbroker@pacbell.net - 310.748.5409

Forms Update

By Nick Friedman

I want to encourage anyone who has not, to migrate to the new forms immediately. The new version is working beautifully and offers several new and improved forms. Continuing evolution of the legalese and any updating is only happening in the new form suite.

Several months ago, all buyers, sellers and vessels were migrated from the old form system to the new system. This cannot happen a second time, so the longer a broker is in the old form system, the more information will not migrate. Access to the prior system remains solely for a broker to reach back and view the history and contracts written over the last several years. These are not able to be moved due to

software incompatibility.

The prior system is now out of date. The expiration date reads 2020 and that cannot be changed. Those using YachtCloser are now using the new forms. And as stated above, all updates, legal or otherwise are only updated in the new form suite.

If you are not active in the new version, contact Don Abbott – 775-745-6565 or Don@cyba.info. He will get you started. It is also

important that all salespersons using the forms become members of the CYBA.

Don't miss out on the new e-signature component that integrates with the new system. It is provided by Citrix RightSignature and Storage of the signed contracts through Citrix ShareFile. Both are excellent and provide easy usage. Watch for a video on this soon.



Boating Memories

CPYB Brokers Make Boat Buying A Breeze

A Certified Professional Yacht Broker (CPYB) is recognized having achieved the highest level of industry accreditation through testing & continuing education. A CPYB will exceed industry standards to ensure your sale or purchase is a smooth & easy transaction. **Don't settle for inexperience!**

Contact your nearest CPYB throughout the US & Canada at **cpyb.net/search** and enjoy great memories.



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USCG Fee Restructuring

For the first time in more than 35 years, the USCG fees to document, transfer ownership, change the name or hailing port of a vessel will increase. The Certificate of Documentation will no longer be valid for only 1 year but for a total of 5 years. To accommodate for this change, doc services will begin implementing USCG fee increases on or about July 1, 2021.

Last year, AVDA celebrated its 25th year as an association of ac-

credited documentation companies who strive to provide the very best service to their customers. This year our annual meeting will be held in conjunction with The National Marine Lender Association's annual meeting at the King & Prince Golf Resort in St. Simons Island, Georgia.

Please make sure the doc service you are using is a member of AVDA as there are fly-by-night, internet-based services out there

who impersonate the USCG and do nothing but take your money. Visit www.AmericanVessel.com to confirm member status.

Kathi Ford, President
American Vessel
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YBBA 100th Anniversary

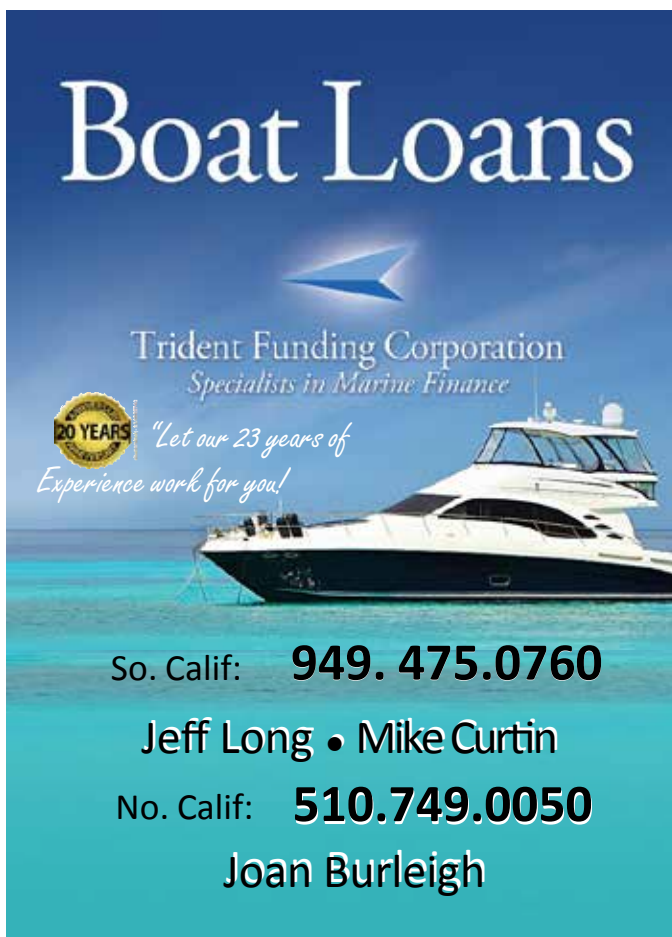
CPYB would like to congratulate the Yacht Brokers Association of America (YBAA) on its 100th anniversary. While the Association celebrated its actual anniversary in 2020, a ceremony commemorating this special

occasion will be held at the annual YBAA University (YBAA U) event on Tuesday, July 13, 2021.

The celebration will begin with a full day of educational programming and conclude with a celebratory cocktail party at the

Annapolis Maritime Museum. CPYB brokers will receive seven (7) recertification credits for full-day attendance.

Visit ybaa.yachts.com/ybaa-university for more information or to register.



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Eight Bells

Marge Brookshire, beloved marine industry icon, died unexpectedly on June 16, 2021. Marge, originally from Brooklyn, NY., lived in Mission Viejo, CA. with her husband Gary. Marge and Gary just celebrated their 56th wedding anniversary.

She worked in advertising Sales at SEA Magazine for 20 years from 1975 to 1995, for CBS Publishing, then Peterson Publishing Co and then when it transferred to Duncan McIntosh Company. She then worked in yacht financing at Ganis Credit from 1995 to 1999.

Marge was a member of CYBA and was very well known and respected in the marine industry on the West Coast for decades. To quote Dean West: "She was one of the great characters in my brokerage career. She will be missed". A memorial service to be announced.



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The WLG Team – The Staff

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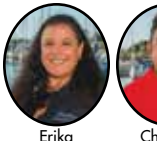
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For complete list of CYBA Member Benefits, please see our separate Member Benefits page at CYBA.info. Be sure to read the CYBA's Code Of Ethics and By-Laws as well.

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July 4	Fireworks, SF Bay, Pier 39
September 15-19	Rolex "Big Boat Series" SF Bay
September	Pacific Sail And Power Boat Show Dates & Location TBD
October 11-13	Annual MRA Educational Conference & Trade Show Hilton Torrey Pines Resort La Jolla, California
October 12-13	DBW Commissioner's Meet, San Diego
October 27-31	Ft. Lauderdale Boat Show
Spring 2022	Pacific Power & Sailboat Show

