



THE CYBA NEWS

March - June 2024

The California Yacht Brokers Association Newsletter

Pacific Sail & Power Boat Show - May 16-19, 2024

Sunday May 19th concluded the final day of the CYBA Pacific Sail & Power Boat Show at Westpoint Harbor in Redwood City, California. In its second year of CYBA production, the show is gaining traction and in a much better position to be a main stay for the Northern California boating industry, California and the CYBA membership.

This year, the show featured vessels of all types, including sail, power and electric. Several of the dealers took advantage of the show to debut certain models to the public for the very first time. Booth exhibits offered vendors from up and down the state that of course included many of the local vendors known to the Nor Cal boaters and enthusiasts alike.

The grand opening of the on-site Club at Westpoint and the restaurant Hurrica provided relaxing over the water views to those that took advantage of the facilities. Not only during the show but many exhibitors and patrons alike were seen dining and conversing long after show hours. A change to the position of the booth exhibitor tents was received with great reviews. Given last year's weather and the location of them then, the south side of the marina proved to be more aesthetic and integrated as more

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Letter From The President

May 26, 2024

It has been a very busy and productive quarter for your CYBA. 2024-2025 will be the CYBA's 50th anniversary. As you will see in the newsletter, we have been involved in several activities and events to better your CYBA and the recreational boating industry.

It started with a hospitality tent and event partnership with YATCO at the NBIBS, Newport Beach International Boat Show. We had several member volunteers that created a very positive vibe for your CYBA, which resulted in new members being signed up. Next we had your President (Mark P. White), Vice-President (Dean West), and other board members participate in the 2024 California Boating Congress. A two-day event that takes place in the state capital (Sacramento).

This yearly seminar addresses the most significant items that effect the recreational boating industry in California. In addition, Dean West, the CYBA Vice-President went to our nation's capital to participate in ABC, the American Boating Congress. We also completed our second PS&PBS (Pacific Sail & Power Boat Show) in Redwood City, CA.

The show was successful and had marvelous weather. We had positive feedback from in-water exhibitors, booth exhibitors and clients. The venue (Westpoint Marina) was hospitable and gracious beyond measure. See photos and details inside this newsletter.

The number one questions I constantly receive when I visit our membership is: "What are people telling you about how business is?" Some tell me it is slower, some say steady, and even some say, "better than ever." Here is what some of the experts have to say: According to the National Marine Manufacturer Association (NMMA), new motorboat sales in the United States were expected to decline by 1-3% in 2024, with



most categories seeing declines of 5-25%. This decline was attributed to a slowdown in the international yachting industry and high U.S. interest rates. However, some other areas of the boat sales industry saw increases in 2023, including:

- Personal watercraft: Projected to increase by 20-25%
- Used boats: The NMMA estimates that around 900,000 used boats were sold in 2023, the lowest level for pre-owned vessels since 2011
- Superyachts: SYT iQ reported a 63% increase in sales of 60-meter plus used superyachts in 2023

Finally, an update on:

YA MON EXPEDITIONS, LLC VS. INTERNATIONAL YACHT BROKERS ASSOC. & OTHERS. In an article published by Soundings Trade World, IYBA Chief Operating Officer Paul Flannery addressed the allegations, stating: "We are aware of the complaint, which does not accurately portray the yacht brokerage industry. It incorrectly suggests that selling yacht brokers are required to pay the commissions of brokers representing yacht purchasers, or that there is a conspiracy to inflate commissions".

We will continue to monitor the complaint and report back when needed.

I am very honored and humbled to be your CYBA President.

Full Speed Ahead and Godspeed.

Mark P. White

of a part of the show's entrance; more so being on hard and stable grounds the area was prepared for any weather that may come. The rain experienced last year never came. In fact, all four days of the show was treated to the beautiful Mediterranean weather that Westpoint Harbor is known for.

Show Manager Jim Behn started the opening day of the show providing a substantial amount of knowledgeable in-

formation while being interviewed by NBC Bay Area News. Jim walked the crew around the docks while giving information on many of the boats they passed. The segment aired during the show's morning and repeated several times during the day during other program segments. The link was shared and did very well on all the social media applications where it was viewed.

Overall success of this year's

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show was based upon the efforts put forward by the CYBA show manager Jim Behun, Boat Show Chairman Mark P. White and his committee along with the help and support of the Sausalito Boat Show Manager, Mitch Perkins. DeeDee Taft of Spin Communications proved to be an invaluable source of assistance in all her promotions, and the CYBA looks forward to having her involve-

ment again in 2025.

The 3rd Annual CYBA produced boat show is set for May 15-18, 2025. In what seems a long time from now, opening day will be upon us before we know it. The continued success of your association's boat show will rest heavily on those already involved, but it must be said that any help, support and assistance from the CYBA membership will

be the overall push to greater success. Just the sharing of a social media post will carry weight and will be greatly appreciated. Should you wish to comment or provide any additional support to the 2025 show, you are more than welcome to do so by emailing or calling CYBA President and Boat Show Chairman, Mark P. White. Markpwhite@cyba.info or 310-968-9376.

Membership Report Q2, 2024

From Wayne Goldman

Currently, we have 439 members, with 3 new applicants in process.. We increased 24 members this quarter. We have surpassed the 400 member milestone, but there are many California licensed brokers and salesmen that are still not CYBA members. Please mention the benefits to anyone you know that is not a member.

Benefits of CYBA include:

- Standard contracts and forms
- Working with fellow CYBA members
- Arbitration & Mediation committee
- Code of Ethics
- Education
- Social networking activities
- Close working relationship with the Division of Boating & Waterways
- Legislation
- CYBA newsletter
- CYBA website
- CYBA name recognition
- Working with peer organizations
- Boat shows

Please mention the benefits to anyone you know that is not a member.

Currently, we have 439 total members broken down as follows:

- Master Brokers: 124 (+4)
- Active Brokers: 43 (-1)
- Associate Salespeople: 209 (+15)
- Affiliates: 52 (+6)
- Affiliate Individuals: 1 (no change)
- Administrators: 10 (no change)

There are approximately 292 Licensed Brokers and 28 Associate Brokers in California. 50% are CYBA members. There are 655 Licensed Salespeople in California, approximately 28% are CYBA members.

Let's continue to bring these numbers up. Any licensed Yacht Broker or Salesperson should be a CYBA member. Please help us increase these numbers.

You can reach me at 510-759-8481 if you have any questions.

Wayne Goldman
CYBA Membership Chairman
membership@cyba.org

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- Vessel Stock Purchase Agreements with or without post-closing merger restructuring to avoid future inefficient, expensive or illegal ownership structures.

Vessel New Build Contracts including assistance with Technical Team assembly. WLG has a worldwide web of project managers, naval architects and yacht designers. WLG will guide your buyer through the phases of conception, contract, milestone construction inspections and finally the launch phase which includes ownership structure, tax, VAT, registration and regulatory planning and compliance.

EU and other Country Vessel Acquisitions. WLG has a worldwide web of VAT, Attorney and Customs experts. Most international transactions utilize the WLG 3 Stakeholder Structure[®] for the safety and protection of the Buyer. WLG urges you not attempt to use a local US Vessel Purchase Agreement for an international transaction.

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Property Tax Strategy, Exemption and Minimization.

WLG is the leader in representing yacht owners concerning obtaining exemption from, minimizing or reducing California Property Taxes. WLG has taught the maritime industry, including local governments, the true basis and methodology of California Property Taxation including its constitutional law underpinnings.

Custom Contracts. WLG is best known for its ability to draft custom maritime contracts for the most complex maritime transactions conceivable in the most efficient and understandable manner possible.

Proper Broker and Brokerage Operational Structures. WLG will consult with brokers and brokerages concerning the optimal operational structure from both an income tax, estate tax, and regulatory perspective.

Trust & Estate Planning. WLG will consult with brokers to ensure they personally have trust and/or estate plans in place to protect them and their families. WLG has drafted and administered thousands of trust and estate plans during its 36-year history.

The WLG Team – The Attorneys

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MAS CYBA Member
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Dear CYBA Membership,
With the CYBA address having changed in January of 2023, there is still correspondence being sent to past addresses used by the CYBA. In most cases, although arriving late, your correspondence has been received as far as it be known. However, to avoid delay please make note of and use the current CYBA address:

CYBA
P.O. Box 2323
Martinez, CA 94553

In addition, a notice was recently sent out notifying the CYBA Membership of a new email address being used for CYBA invoicing. Due to the security updates made by Intuit / QuickBooks, the application will no longer allow emails to be sent from info@cyba.info as of July 1st. All invoicing / payment receipts are now being sent from infocybainvoicing@gmail.com and if you feel you have overlooked an invoice please check your inbox.

If you have any questions, please contact me at ty@cyba.info or call 925-588-8929.

Kind regards,
Ty Mellott

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CYBA Member Since 2014

IYBA - A Letter From The COO

Dear IYBA Member,

We expect that many of you have heard the unfortunate news about the class action lawsuit that was filed on Thursday against IYBA and several other entities in our industry, which alleges that we have conspired to inflate commissions by requiring listing brokers to pay commissions of brokers for yacht purchasers. I have attached a copy of the complaint to this message.

We expect when you read the complaint you will find the charges against our industry, and many of the specific statements in the complaint, to be incorrect and feel an immediate response is required. But please recognize that, in litigation, any discussions about the case (even with colleagues and friends) are subject to discovery.

IYBA will have the opportunity to respond to the claims at the appropriate time during the litigation. For now, our intention is to share the following (and only the following) in response to inquiries we receive about the case:

We are aware of the complaint, which does not provide an accurate portrayal of the yacht brokerage industry, including by suggesting that selling yacht brokers are required to pay the commissions of brokers representing yacht purchasers, or that there exists any conspiracy to inflate any commissions.

We look forward to the opportunity to correct the record at the appropriate time during the litigation. Please forward any press inquiries about the case to Paul Flannery at IYBA, 954-522-9270, paul@iyba.org. We promise to keep you informed about the progress of the case as it proceeds.

PAUL FLANNERY, Chief Operating Officer
International Yacht Brokers Association



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AI's Impact On The Yachting Experience

By Diane M. Byrne,
MegayachtNews.com

When the computer HAL in 2001: A Space Odyssey refused to open the pod bay doors, legions of moviegoers became wary of artificial intelligence. Now, five decades later, people are intrigued by how AI is making our lives more convenient through smart devices and smart homes. It's no surprise, then, that yachting companies are using AI to enhance owners' and guests' enjoyment of their vessels. Here are a few notable developments.

Azimut Yachts

In cooperation with Google Cloud, Azimut Yachts may have created the first smart production yacht – the newly updated Magellano 60. Owners get simple, intuitive control of a host of relaxation, entertainment, and technical systems using their mobile phones or just their voice. For instance, rather than having to wait until they step aboard to turn on the air conditioning, Magellano 60 owners can activate it from an app while en route to the marina. The air conditioning can go on in one or multiple rooms, too. While they're at it, the owners can doublecheck fuel and water levels plus the stern security camera.

Once on board, saying, "Okay, Google" with a command gives the owners control over multiple systems. If they misjudged how much cooling down needed to be done, a simple, "Okay, Google, turn the air conditioning in the saloon to 72 degrees" suffices. Or, let's say they're entertaining friends on a sunset cruise. They can turn on the saloon's wine refrigerator and request that music plays on the aft deck without having to leave the helm. "Okay, Google, turn on the saloon lights" lets them move the party to the boat's interior as they return to the dock. Customers with kids will be especially happy to know that Disney Plus and other channels are voice- and app-accessible for

all TVs aboard, since Google Chromecast is integrated into the system. Azimut premiered this tech at the Cannes Yachting Festival in September 2023. No word yet on additional models incorporating the system.

IYC

Virtual assistants sometimes get a bad rap, but IYC devised its AI Yacht Manager to act like a human. It even has a name, Anna. Through in-house-developed software, Anna handles a host of tasks, from processing paperwork to monitoring expiring certificates. This provides more peace of mind for both owners and crew, and more time for captains and crew to concentrate on their operational and hospitality duties. A good example of an administrative task is onboarding new crew. When someone accepts an offer, the captain enters his or her name and contact information into IYC's proprietary system, BLUE. Anna automatically emails a welcome message with a link for the person to enter relevant details and then generates a contract. Additionally, Anna emails the insurance company, requesting the new crewmember be added to the yacht's policy.

While Anna only takes seconds to handle all of this, a bigger common thread is the elimination of human errors. Clearly, no one intends to forget important documents, whether it's renewing the EPIRB registration (failure to do so risks hefty fines) or handing in receipts. However, sometimes renewals fall to the wayside, and expenses aren't fully updated. For renewals, Anna emails the captain and appropriate others, detailing how many days or weeks remain – and can automatically update information and/or pay what's due. As for budgets, Anna can remind crewmembers to upload receipts and generate monthly expense reports for the owners and captain, noting whether expenditures are high.

In place since early 2023, Anna has slashed captains' and chief officers' administrative tasks in half according to IYC. As the saying goes, time is money, but timely filings also eliminate unexpected and unnecessary maintenance.

YachtEye

Nearly 100 of the world's largest yachts use the YachtEye infotainment system. Acting on feedback from owners, captains, and crew, YachtEye began leveraging AI. Recently relaunched as YachtEye AI, it not only is more fun and informative, but it also frees up captains and crew to provide better service.

Oftentimes, owners and guests want to know as much about where they're cruising as they do about the yachts around them. Via TVs and iPads with the YachtEye AI Dashboard, they can uncover abundant details. For example, they can check the live position feed, plus learn facts about the harbor and city they're arriving in later that afternoon. The Yacht Radar feature, meanwhile, reveals information about yachts they pass. (The data comes from AIS and the SYT iQ database of SuperYacht Times, YachtEye's sister company.)

Tech geeks can find out the moment the engines turn over, see which mechanical systems are operating, and learn more about them via the 3D Engine Room feature. Before heading off to bed, everyone can re-live the day with photos they uploaded via the YachtEye mobile app. As mentioned, captains and crew benefit from YachtEye, too. Originally, the system required entering details about destinations and more into the system. Now, however, AI regularly pulls information about shoreside highlights from SuperYacht Times' destination database. If owners are intrigued by a particular area and want to stay an extra day to explore, shop, and dine, they can add it to the

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About CCA California

Our Objective

To conserve, promote and enhance the present and future availability of coastal resources for the benefit and enjoyment of the general public.

About CCA

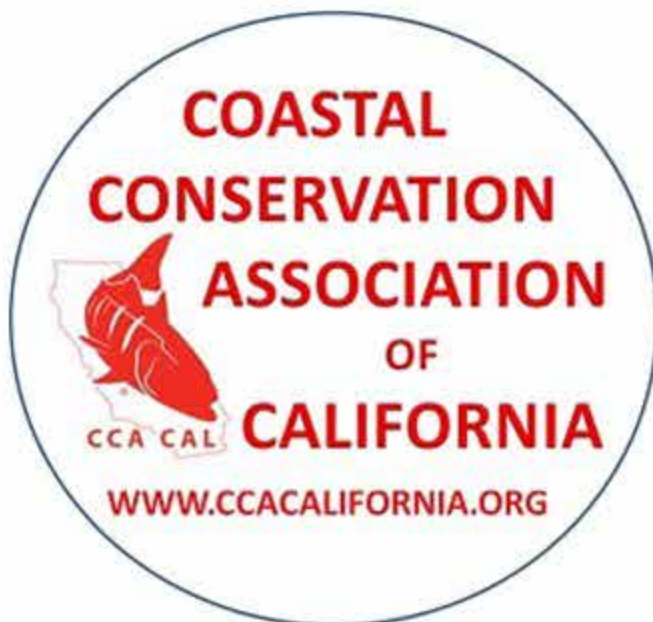
The Coastal Conservation Association (CCA) was initially created in 1977, after drastic commercial overfishing along the Texas coast had decimated redfish and speckled trout populations. A group of recreational anglers gathered to create the Gulf Coast Conservation Association. Only four years later, gill nets along the Texas coast were outlawed and both red drum and speckled trout were declared game fish.

The successful conservation movement that started with the "Save the Redfish" campaign got the attention of anglers across the Gulf and by 1985, chapters had formed all along the Gulf Coast. CCA continued to grow within the South- and Mid-Atlantic regions in the 1990s, and now have chapters formed up and down the West Coast. There are now 19 states with 226 local chapters that have a growing membership of 126,000 members.

Our Story

The Coastal Conservation Association of California (CCA CAL) was created in 2015 when recreational anglers and outdoor enthusiasts grouped together to work for the conservation and enhancement of our marine resources and coastal environments.

Today, we are working to protect not only the health, habitat, and sustainability of our marine resources, but also the interests of recreational saltwater anglers and their access to the resources they cherish and use on a daily basis.



What We've Done For Anglers In California

- Continue to fight against fishing tackle and lead bans
- Fought to keep Bluefin from becoming listed as an Endangered Species
- Continue to fight against destructive fishing gear that hurts our resources
- Protect against unfair fishing regulations
- Continue to support and expand finfish hatchery programs
- Continue to fight for artificial and restoration reefs
- Support programs to increase fishing opportunities

itinerary by logging into the web portal. Immediately, the captain and crew receive notice, and all onboard devices with YachtEye update the schedule. Additional

popular features are at-a-glance details of the yacht's tenders and toys, plus each day's menus. All of this thankfully is a far cry from HAL taking matters into its own

hands. With a collaborative spirit as the focus, yachting's usage of AI won't send anyone adrift.

Alternate MLS Options To CYBA Brokers

By Win Weaver

As increasing costs of widely used MLS services continue to skyrocket, brokers are looking for cost savings alternatives. There are a variety of options out there, but the key is to become familiar with the other options, and at the very least start using them in conjunction with their current provider.

The alternatives are eager to market your listings. With lower overall annual costs to do so, many are offering special incentive packages at reduced rates for first-time users as well as additional discounts to CYBA members.

The idea of using another

MLS service may be daunting and somewhat overwhelming to those faced with the decision to do so. The consideration of costs and time and effort to populate listings wished to display is one that you must consider. Don't look at the big picture of having all your listings on a new MLS all at once as it is indeed overwhelming. Whether you have your listings added in house or have the task farmed out, work on them day by day and in no time all your listings will be shown. If you look at it this way, ten added today is ten more than you had yesterday and ten less than you will have

tomorrow if you put effort into the process. We must remember that a successful MLS service that produces the results wanted does not happen quickly.

If you are not aware of some of the alternatives you might want to consider one, two or all of these: Boat Universe, Boatsfor-sale, Yachtr, Yatco or yachtsfor-sale. Check with each to get their pricing plans, rates and or CYBA membership discounts.

As an industry facing the current state of costs and effectiveness, it must be said that turning the tide will not come overnight.

(cont. on next page)



Dona Jenkins

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Active / Founding Member

Alternate MLS... (cont. from page 10)

Nor will it be turned on an individual basis as it will take the efforts of the industry as a whole, to start the process. Had the signs been heeded four years ago we might have been a little more prepared for current events. It is now imperative that we do not find ourselves in the same boat four years down the road in looking for alternatives and wishing actions had been taken in 2024.

**Reminder to Please Update
The CYBA Contact Info To
The Following**

**CYBA
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Martinez, CA 94553
925-588-8929**



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Boating, Waterways, And Recreation Supporters Create Action

Leaders from across the country who value California’s growing boating, waterways, and recreation industries descended on Sacramento on March 12-13, 2024 to attend the 8th Annual California Boating Congress (CBC). More than 75 industry leaders attended the two-day policy conference that featured state elected officials, regulators, and marine recreation experts. CBC was an excellent opportunity to share the results of the industry’s Propelling Our Future decarbonization report through hill visits with policy makers and a panel discussion with the California Air Resources Board,” said Jeff Wasil, senior director at the National Marine Manufacturers Association. “We were able to effectively communicate the multiple technologies that will be required to further minimize emissions from recreational boating.”

The policy conference was kicked-off by State Treasurer Fiona Ma who discussed grant and loan programs offered by the Office of the State Treasurer to assist with infrastructure improvements that marinas, boat-yards, and other related industries can access. Treasurer Ma brought a team of staff from her office to directly interact with attendees to better understand the needs and challenges the state’s marine-related industries are facing.

Throughout the day participants heard from state regulators and legislators like the California Air Resources Board and the Division of Boating and Waterways about upcoming regulations and budget challenges. In the afternoon, legislative panels featured legislators representing the Central Coast Caucus, Problem Solvers Caucus, and wrapped up with a discussion on the state’s pending state budget crisis.

“To say this conference was a success for our industries would be an understatement,” said Kate Pearson, chair of the CBC. “Being in that room allowed participants to hear directly from elected officials and state regulators who impact their businesses each-and-everyday. There are a lot of issues coming down from Sacramento that collectively we must engage in so that we can create change. The CBC is that opportunity.”

The Marine Recreation Association partnered with the NMMA, California Yacht Brokers Association, California Association of Harbor Masters and Port Captains, Boat US, Personal Watercraft Industry Association, and Recreational Boaters of California to sponsor the event.

If you have questions or are interested attending next year’s California Boating Congress, scheduling a visit with California members, state legislators or their respective staff members, please contact NMMA’s Rachel Fischer at rfischer@nmma.org



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Are You Acting As The Broker To Both Buyer And Seller

By Danielle J. Butler, Managing Partner of Luxury Law Group

Hey Brokers... do you think you are acting as a "dual agent" in your transaction, meaning representing both the seller and buyer in a transaction? You may have heard of it before, but what should you know about it? The term "dual agency" might lead you to think about double commissions, something perhaps to be excited about. But if you aren't aware of the pitfalls of dual agency, it might cost you all your commissions, or more.

When a buyer or seller uses a yacht broker in a sales transaction, an agency relationship exists between the yacht broker and either the buyer or the seller. In some situations, the yacht broker intentionally represents both the buyer and seller, creating a dual agency that imposes certain additional duties on the yacht broker. The unappreciated risk for yacht

brokers, however, is the inadvertent and unintentional creation of a dual agency that arises out of the yacht broker's conduct.

I am going to explain an overview of agency principles; how an agency relationship arises between a principal and an agent; the duties an agent owes their principal; an explanation of what dual agency is; and the remedies a principal might have if an agent runs afoul of the agency relationship.

An agency relationship is the fiduciary relationship that arises when one person (principal) manifests assent to another person (agent) that the agent shall act on the principal's behalf and subject to the principal's control, and the agent manifests assent or otherwise consents so to act. The basic premise is that the agent serves as the principal's representative rather than simply someone performing a service.

Other typical agency relationships include real estate brokers, stockbrokers, officers of legal entities, trustees, and lawyers. The relationship may be created through a written or oral agreement. However, and this is important to realize, no express agreement is needed for an agency relationship to arise. Agency can arise simply by implication, i.e., by the conduct of the parties even without any writing. Being aware of and understanding the implications of an agency relationship can help you avoid potentially unexpected and unpleasant results.

In determining whether an agency relationship exists, courts consider the following factors: (1) the agent's power to alter the legal relations of the principal; (2) the agent's duty to act primarily for the benefit of the principal; and (3) the principal's right to control the agent. Although important, these

(cont. on next page)



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factors are not conclusive in and of themselves. Where a party asserts that an agency relationship arises by inference (through the parties' words or conduct) that party has the burden to prove the agency. Whether an agency relationship exists in any particular situation is highly fact specific.

There is no single list of actions that can lead to formation. Actions that may demonstrate an agency has been formed include negotiating the sale or purchase of property (real estate, vessel, aircraft etc...) on another's behalf, holding deposits to be disposed as directed, preparation and explanation of acceptances, addendums to PSA, extensions, amendments to PSA for a party involved in a transaction, and offering specific advice or assurances of facts in connection with a transaction. An agency relationship does not necessarily exist where these facts exist, but they are indicative.

When an agency relationship exists, the agent owes "fiduciary duties" to the principal. Among the most important fiduciary duties owed by an agent to the principal are:

1. the duty of utmost loyalty and to avoid any conflict of interest.
2. the duty to devote all of the agent's skill and ability to securing the greatest legitimate.
3. advantage for the principal.
4. the duty to account for all profits arising from the transaction.
5. the duty not to disclose the principal's confidential information to another.
6. the duty of disclosure of all material or significant information to the principal.

and
7. the duty to disclose any conflict of interest.

As a result of these duties, various actions or conduct by the agent could be a breach of the duties owed to the principal.

Here is where it could get interesting. Dual agency is when one agent (broker) represents two principals, i.e., the seller and the buyer. The general rule is that dual agency is not permitted because of the inherent conflict between the interests of the two principals. The inherent conflict is perhaps most obvious when considering how duty to maintain the confidentiality of each principals' information conflicts with the duty to advise each principal of all material information.

Dual agency, however, is permitted when there is full and fair disclosure of the fact that the agent represents the interests of two adverse parties. A principal can consent to dual agency or other conduct by the agent that would, without disclosure and

(cont. on page 17)



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consent, breach the agent's duties. An agent MUST fully disclose material information to the principal when obtaining the principal's consent. But even a principal's advance, open-ended consent cannot justify disloyal conduct. The agent must always act in good faith.

A dual agency relationship is not automatically formed every time a broker is in contact with both a seller and a buyer of a vessel. Whether an agency relationship has been created is dependent on the specific facts and circumstances in a given situation.

It is often the case, in the yacht brokerage industry, that one brokerage, or even one person, interacts with both parties to a transaction.

Be careful, in these situations and make sure it is clear to all parties whose interests you actually represent. In a situation where a dual agency exists, you must fully

and fairly disclose the dual agency and obtain express consent from both principals.

If you breach the relationship, you risk losing your commission and/or having to defend a lawsuit. If an agent breaches his/her duties to the principal, the principal can avoid paying the agent a commission otherwise due or can recover a commission already paid.

If a dual agency exists, and is "not consented to by both principals, it can be the case that the agent cannot recover a commission from either party to the transaction. In addition, the principal may also be able to recover other damages arising from the agent's breach of fiduciary duties.

What can you do to protect yourself? Be clear to both parties and their representative on who you represent. Know what duties you owe that person. If you intend to act as a dual agent, say so to both principals, get both parties

to acknowledge the disclosure in writing.



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CPYB Program Update

By Jeff Merrill, CPYB

One of the requirements of CPYB's is continuing education. You have to keep engaged with our business to retain your credential. There are many ways to earn CE, you can attend yacht broker events (like the CYBA Legal seminar) and there are several webinars presented each year you can listen in to. Last week, Mik Maguire, CPYB and I hosted a Zoom event for CPYB's called, "From Acceptance to Closing." We reviewed a step by step approach outlined in PowerPoint and then spoke from experience to share our approach. Our discussion was recorded and there were over 100 CPYB's listening in across North America who can now benefit from our insights.

Where do you learn more about being a yacht broker? Let's face it, there are not a lot of places to turn. The CPYB program is the best and most connected path.



As a CPYB you can also access the Learning Library that has archived webinars like the one Mik and I just gave. If you have been staying in touch with the current developments in our trade, you are well aware that the yacht brokerage business is heading into some major tide swings and wind shifts. Are you ready to weather what comes next?

The CYBA is represented at the national level on the CAC

(Certification Advisory Council) by three brokers (Nick Friedman, CPYB, Mik Maguire, CPYB and Jeff Merrill, CPYB) as well as our executive director, Ty Mellott. If you are interested in learning more about the CPYB program, please feel free to get in touch with me, Nick or Mik.

The qualifying exam is now available in five modules that have proven to be a friendlier way to test your knowledge.

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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:

SO-CAL
Jeff Merrill, CPYB
Jeff Merrill Yacht Sales, Inc.
949-355-4950
jeff@JMYS.com

Nick Friedman, CPYB
The Shoreline Yacht Group
310-748-5409
yachtbroker@pacbell.net

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 @ 925-588-8929.

Clean Energy And Conservation Collide In CA Coastal Waters

A wind-energy dispute highlights the intense opposition large renewable power projects often face, even in states committed to the fight against climate change.

BOEM Announces Environmental Review of Future Development of California Offshore Wind Leases, a 60 day comment period begins December 20, 2023.

Efforts Underway:

BOEM is managing federal oversight authority on five existing leases in California, two in northern California off Humboldt County, and three in Central California near Morro Bay. For more information, please click on the Existing Leases tab above.

BOEM is also currently working on a programmatic environmental review document that will describe the potential impacts of federal offshore wind energy development activities off the coast of California, as well as the change in those impacts that could result from adopting programmatic mitigation measures. BOEM will conduct subsequent site-specific NEPA analyses and consultations for individual proposed wind energy projects as construction and operations plans for those projects are received. Information on the California Offshore Wind Programmatic Environmental Impact Statement, including public engagement opportunities, can be found on the CA Offshore Wind PEIS page.

The Morro Bay wind farm project is moving forward at a rapid pace regardless of the numerous negative impacts this will have on the marine life and our communities. Port San Luis is being considered as a location to serve as a base for the construction and maintenance of hundreds of 1,000 foot tall wind turbines which would require a massive alteration project drastically changing the Port's current primary mission from "To serve the public with an array of commercial and recreational fishing and boating opportunities while ensuring an environmentally responsible, safe, sustainable harbor that preserves our marine heritage and character" to the plan for a larger, industrialized port with a mission to serve large ships, cranes and other related equipment. Unsurprisingly the majority of people who live in the PSL/Avila Beach area and those that use the port for fishing, boating, and camping are not happy about with this.

The Northern Chumash Indians are not happy, because their nation has been working for years on establishing something called the Chumash Heritage National Marine Sanctuary. They've been on this stretch of coastline for eons, and the sanctuary efforts have been directed at preserving what's left of the wild, wonderful northern CA coast in the area.

Educating Buyers On The Benefits Of Putting Their Boat Into Charter

By Charles Ullman

These days the cost of boat ownership is a major barrier, and many would rather rent for the weekend rather than purchase a boat and deal with the endless cost of upkeep and storage. While those who do own yachts are looking for ways to offset their expenses and make some revenue renting out their boat when they are not using it themselves. To be able to offer these services to potential buyers who are looking for a more affordable path to yacht ownership can be key. As brokers we must be able to lay out the pros and cons of these options to the buyers and help them avoid the potential pitfalls as placing a boat into charter comes with its own risks.

Before I became a yacht sales agent and later founded my own brokerage, I started as a USCG captain and sailing instructor at a local charter club; Marina Sailing Newport Beach. Once it was time to start my own brokerage, Ullman Yacht Sales, the close relationship between the charter club and my new business was natural. I started by recruiting other captains as agents. Our first transactions were bringing boats into the charter fleet and selling the older ones that were no longer up to the fleet's standards. Often, I would discuss with clients the benefits and drawbacks of placing a boat into charter and how to go about the process and these are some thoughts I would like to share.

New CYBA Affiliate Member Roger Tafoya / MLS Rightboat

Originally from Sacramento, California, Roger has called Folsom home for the past 25 years. With over three and a half decades of dedicated service at a prominent national multimedia firm, he brings a wealth of experience to the table. As an action-oriented service consultant, he prioritizes fostering strong relationships through clear and effective communication. His adaptability is matched by strategic planning skills, where meticulous metric analysis consistently surpasses expectations.



Roger's family is his pride and joy, comprising of four children, a son-in-law, and two adorable grandchildren. And of course, there's Marley, his loyal 17-year-old Maltese companion. When not immersed in work or family time, you can find him officiating basketball games – a passion that comes with its fair share of passionate spectators!



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Speed Limit Law

Boater safety, manufacturing jobs, and coastal economies will be significantly hurt if the Biden Administration does not stop its ill-conceived changes to the 2008 North Atlantic Right Whale Vessel Strike Reduction Rule.

The National Oceanic and Atmospheric Administration (NOAA) under the Department of Commerce is overreaching with its proposed changes, and this unaccountable agency must be stopped before it decimates the boating and fishing community. Commerce and conservation can coexist. Without consulting the recreational boating industry or working with any marine technology companies, NOAA

has proposed an unprecedented expansion of its ineffective rule that includes:

- The addition of recreational boats 35 to 65 feet in length to the 2008 whale strike rule that originally encompassed only large vessels 65 feet and greater.
- A 10-knot (11 mph) speed restriction for up to 90 miles out from the shoreline, and in some instances, for up to 7 months out of the year.
- A geographic expansion of the existing Seasonal Speed Zones (SSZ) to span the vast majority of the Atlantic coast – from Massachusetts to central Florida.

We believe there is a more

balanced approach that should be taken to protect the North Atlantic right whale; one that does not severely restrict boaters' access to the Atlantic Ocean. Instead of this sweeping rule, NOAA must work with the recreational marine industry and the U.S. Coast Guard to establish solutions that utilize the best marine technologies available to reduce the risk of vessel strikes.

Write your members of Congress and urge them to tell the Biden Administration that this rule must be withdrawn in favor of the development and implementation of a technology-driven solution.

Inside The Yacht Brokerage Industry's Class-Action Controversy

Written by Enrico Chhibber
Wed, Apr 17, 2024 | 00:30

Since March, the yachting world has been impacted by a class-action lawsuit filed in the U.S. District Court in Miami by Ya Mon Expeditions, LLC. This lawsuit targets numerous brokerage firms, including Denison Yacht Sales, Allied Marine, United Yacht Sales, MarineMax, and Northrop & Johnson, as well as prominent listing platforms such as Boats.com and Yatco. Moreover, The International Yacht Brokers Association is also named as a defendant. At the heart of the lawsuit are allegations

of price-fixing, accusing multi-listing services like Yatco of facilitating potentially anti-competitive behaviors that violate federal antitrust laws.

The plaintiff, Ya Mon Expeditions LLC, a Wyoming-based limited liability company owned by a lawyer, initiated the lawsuit after selling a yacht and subsequently discovering how commissions were distributed. Specifically, it was revealed that the commission paid to the listing broker was shared with a cooperating broker. This lawsuit seeks to challenge the legitimacy of the commis-

sion structures associated with MLS-like systems within the yacht brokerage industry.

The roots of this lawsuit likely trace back to recent shifts within the real estate sector concerning commission structures. Home sellers in multiple lawsuits against the National Association of Realtors (NAR) and several major brokerages have argued that the trade group's regulations, especially those governing homes listed on its affiliated multiple listing services, unfairly bolstered agent commissions. These rules reportedly

(cont. on page 24)

CYBA Board Of Director's Meeting

6/11/2024 via Zoom

President Mark White called the meeting to order at 09:10 a.m.

Board Members Present: Mark White, Peter Zaleski, Dean West, Nick Friedman, George Sikich, Wayne Goldman, Jim Murrell, Chuck Ullman

Executive Director: Ty Mellott

Guest: Jim Behun - Boat Show

Approval of the previous meeting minutes.
Discussed AI app for minutes taking.

Financial Report – In packet. Summary from Peter.

Forms Report – Nick Freidman Discussed exclusive listing agreement. Paragraph 10 as it relates to co-op agreements.

Executive Directors Report – Included in packet.

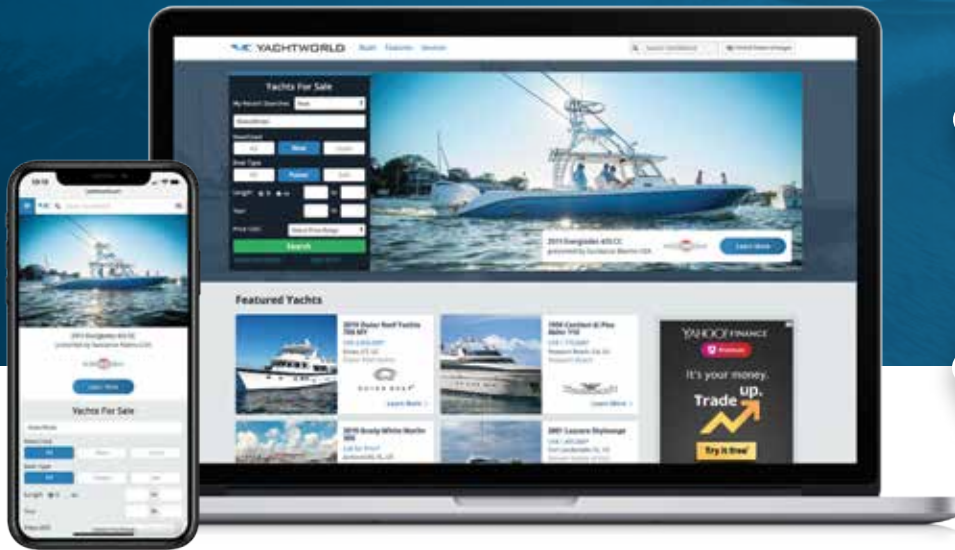
Presidents Report – Included in packet. CYBA is named in Lawsuit on commission structure along with other associations and the larger

brokerage firms the US. It is a concerning issue that could come to all California brokers. Chris Brainard to defend CYBA suite litigation. \$20,000 covered by insurance with \$5,000 to CYBA for initial costs. Discussion of Board commitment to CYBA. Dean asked board members to self-evaluate commitment to service.

Membership Report – Included in packet. +6 new members with 3 in process. Discussion on review process on new member

(cont. on page 28)

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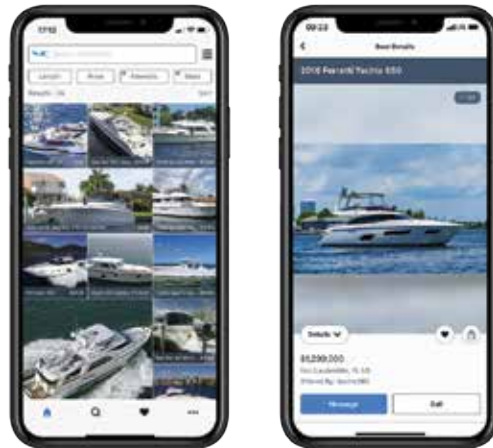
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incentivised agents representing buyers to avoid showing listings where the seller's broker offered lower commissions to the buyer's agent.

In an article published by Soundings Trade World, IYBA Chief Operating Officer Paul Flannery addressed the allegations, stating: "We are aware of the complaint, which does not accurately portray the yacht brokerage industry. It incorrectly suggests that selling yacht brokers are required to pay the commissions of brokers representing yacht purchasers, or that there is a conspiracy to inflate commissions".

Furthermore, an article by Loose Cannon highlights how several yacht brokerages, along with the corporate owners of the YachtWorld listing service, are collaborating to formulate a unified defence.

Judge Michael Moore of the

U.S. District Court in Miami recently granted the defendants additional time to compile exculpatory evidence and develop their arguments. This decision came in response to a motion filed by Northrop & Johnson, Galati Yacht Sales, MarineMax, United Yacht Sales, HMY Yacht Sales, Permira Advisers, and Boats Group. Notably, the Yacht World multiple-listing service, which is controlled by its parent companies Permira and Boats Group, is also implicated in this case.

However, Denison has chosen a distinct path from the rest, as Denison's legal team filed a motion to dismiss the charges against their client alone. In a bold move, they distanced themselves from Galati and Allied Marine, suggesting in their arguments that if guilt were to be assigned, it would more likely fall on these two.

Christopher M. Brainard, the

attorney for Denison, described the lawsuit against his client as merely a 'cut and paste' from recent class-action lawsuits that have disrupted America's real estate commission system. Brainard argued that although the system for selling boats may seem similar to home sales on the surface, the underlying mechanics of yacht sales are fundamentally different. He emphasised to the judge that the arguments which undermined the National Association of Realtors do not apply to the context of yacht sales.

SuperYacht Times has reached out to the involved brokerage houses, but none have responded with a comment. As this case progresses, SuperYacht Times will continue to monitor its development, as the outcome could have profound implications for the practices of yacht brokerage.

California Boating Congress

The California Boating Congress for 2024 kicked off in Sacramento on Wednesday, March 13th. After a nice continental breakfast, meeting old friends and new, we all assembled for the welcome presentation by Aaron Perrin, President of the MRA and Kate Pearson, Chair of the California boating Congress.

The Honorable Fiona Ma, Treasurer of the State of California, presented opening remarks and spoke of the health of California and in particular our parks and waterways.

We got a legislative update from Beau Biller, Platinum Advisors, our lobbyists.

Beau was joined by Jerry Desmond, RBOC and Mark Smith, representing interests nationally for NMMA. Collectively, they spoke of:

1. The current Deficit in the Boater Fund. Jerry urged the assembled to support no longer funding beach erosion from the Boater's Fund, to enhance more

'on the water, boating opportunities, include all beneficiaries (non-motorized) and receive the appropriate share of the motor vehicle fuel tax. Additionally, considering having DBAW take over DMV boat registrations.

2. Marine Flares were discussed. The cost of disposing out of state and a better resolution to that disposal.

3. A clear picture of how the 30 X 30 program works, it's impact to recreational boating and a more reasonable approach to safeguarding our 'offshore' environment without massive restrictions for boaters. Earlier, Mark Smith stated that manufacturers have met the Federal guidelines (but not California's)

4. Polystyrene Docks, Piers, and Buoys. There is legislation to prohibit the use of this material or repair same. MRA is very focused on this issue as it impacts their marina owners and updating their facilities.

5. Offshore Wind Energy. Believe it or not, this seemingly positive for the environment may impact coastal marinas and other boating related industries if not monitored in terms of their installation and operation.

6. A report on the Delta Conveyance Project. RBOC was not in favor and looks for support as the project will disrupt recreational boating, will overrun it's budget and not finish on schedule.

(cont. on page 26)



Past CYBA President Mik Maguire addresses the audience.

Why Are Expired Marine Flares An Issue In Our State

Expired marine flares are hazardous wastes, are transported as explosives and must be disposed of at a hazardous waste facility permitted by the EPA to manage explosives. State laws prohibit the disposal of hazardous waste in waterways, trash, and in municipal landfills. An estimated 174,000 outdated flares are generated each year by recreational vessels in California. With this large number of unneeded flares generated annually in California, there is a strong need for public education and awareness about proper disposal as well as good disposal options.

Currently there are no permitted facilities in California that can accept, treat and/or dispose of non-military explosives waste streams. There are only three permitted facilities in the U.S. that accept and treat/dispose of explosive waste streams, like pyrotechnic marine flares (two facilities treat in incinerators (UT and LA), the other does open burning (MO)). The packaging, disposal and transportation costs involved with safe disposal of these explosive waste streams are a huge cost burden for the public and governmental agencies. It costs approximately \$7 to \$50 per flare to be properly disposed of at

an out-of-state permitted facility.

WHAT ARE THE CURRENT DISPOSAL OPTIONS FOR EXPIRED MARINE FLARES?

Some counties pursue grants from CalRecycle to conduct temporary marine flare collection events—typically, only recreational boaters who are residents or who keep their boat in that grantee county can participate in those events. For disposal of expired marine flares, please contact the California Department of Toxic Substances Control (800) 728-6942) or your local Certified Unified Program Agency (<https://cersapps.calepa.ca.gov/public/directory/>) for assistance. Recreational boaters can contact their local Household Hazardous Waste program for options. Commercial boaters and organizations can contact a competent hazardous waste management contractor for services.

RECOMMENDED BEST PRACTICES FOR MARINE PYROTECHNIC FLARES DISPOSAL

- Never put flares in the regular trash or in any waterway, it is illegal and can endanger solid waste workers or our waterways.
- Do not discharge expired marine flares during civic fireworks festivities or any event. Firing a flare in a non-emergency is con-

sidered a false distress message—it is a federal crime and is treated seriously by law enforcement. U.S. Code Title 14, section 88 provides that an individual who knowingly and willfully communicates a false distress message to the Coast Guard or causes the Coast Guard to attempt to save lives and property when no help is needed is guilty of a Class D federal felony (subject to up to six years in federal prison, up to \$250,000 in fines and reimbursement of all costs the Coast Guard incurs as a result of the false distress signal or call). In addition, misuse of marine flares can cause serious injuries and can be a fire hazard.

- Encourage your county to conduct a collection event for recreational boaters.

- Purchase a USCG approved electronic visual distress signal to replace old pyrotechnic flares. Electronic visual distress signal are reusable alternatives that do not release chemicals when used, do not expire, and are safe to use.

- Stay informed about legal methods for disposal of hazardous waste and tell other recreational boaters when safe marine flare disposal becomes available. Your marina or yacht club should be able to provide you with that information.



Photo by: Vivian Matuk, California State Parks and California Coastal Commission.

A very comprehensive overview of current legislation to watch! Assemblymember Marie Waldron (a past USCG licensed captain in NY) spoke of her help with the BCDC issues on San Francisco Bay.

California Air Resources Board. David Quiros, Melissa Houchin and Tracy Haynes were representing CARB and fielded questions from Rachel Fischer and Jeff Walis of the NMMA. Questions regarding new tier guidelines for powered vessels and how boaters are to meet those new guidelines were on everyone's minds and the resulting answers were not what the crowd wanted to hear. They stated that 750,000 boats in the state on a summer day have the same emissions as all the vehicles in the state...what? When would all the boats in the state be on the water the same day? (seriously?) They have interpreted the Governor's Executive Order to include all boats (zero emissions) by 2035. It's coming, more legislation, with little regard to how boat owners are going to meet the requirements. There's no good news here. (note: CARB ignored the USCG recommendations on particle traps)

Midday, the Division of Boating & Waterways took the stage (Chair, Katie Hawkins, Deputy Director Ramona Fernandez and Karen Dill, Chief of Grants). This Q&A was monitored by Arron Pellarin, Pres. of MRA. Much of this was covering the Abandoned Vessel Program and grants to marinas, launch ramps and other facilities. Also, potentially moving the 'invasive species' program to other agencies. Our lobbyists are trying to get legislative help to tap the federal one-billion-dollar water cleanup fund. Let's hope.

A Working Lunch. Robert Newsome from NMMA (National Marine Manufacturers Association) presented trends in the market, supply line challenges, and future growth. The forecast was positive... but the nation is watching California and its challenges. The other coasts face insurance issues and it's taking a toll in California (Our own Dean West focused on this in regard to boat sales later in the convention program)

Merle B. Parke Award. Reconvening, we took time to present our annual Merle B. Parke award given to an individual who made important contributions to our industry and in particular, the brokers and salespeople in California. Merle was a founding member of the CYBA and believed in strong ethics. The award was presented to Beau Biller of Platinum Advisors (the CYBA's lobbying firm), for his devotion, attention to detail and hard work to make our industry better.

Legislative Roundtable 1. Assemblymember Gail Pellerin (Santa Cruz) and Assemblymember Gregg Hart (Santa Barbara) discussed the issues on the Central Coast (moderator, Mark Smith)

Legislative Roundtable 2. Senator Scott Wilk and Assemblymember Laurie Davies (San Diego) Transparency in fuel costs, carbon goals, hydrogen as an alternative choice and 'cap & trade' were discussed,



Kate Pearson of Safe Harbor Marinas and Chair of the CBC spoke of the CBC's importance to the recreational boating community in attendance.



Representing your CYBA. Legislative Committee Member Tony Faso, Legislative Chairman Dean West, Executive Director Ty Mellott, President Mark P. White and Past President Mik Maguire.

as well as using the power of the boating community to influence legislators. 15 bills were passed last year working across the aisle with Democrats. Did you know the Coastal Commission has no geologist on staff? (moderator, Beau Biller)

Legislative Roundtable 3. Senator Brian Jones and Assemblymember Diane Dixon (moderator, Jerry Desmond). State budget issues (it's a mess)...and our own Dean West broached the lack of affordable (if any) boater's insurance. He also encouraged boaters to tell their legislators how much property tax they pay to the state budget.

This was a jampacked congress with many great speakers (including many legislators) and if you didn't attend, we missed you! Be there next year...



Beau Biller of Platinum Advisors receives the 2023 Merle B. Parke Award from the 2022 recipient Mik Maguire.

Eight Bells

Jack Means passed away at his Lake home June 14, 2024, at the age of 86.

Jack was best known as owner and broker of BAYPORT YACHTS in Newport Beach, opening in 1987 as the Californian dealer and later the Largest Carver Yachts dealer in the World. Jack, along with his wife Barbara, ran a successful yacht dealership for over 35 years.

Jack joined the marine industry back in 1974. With a background in plastics and sales management, he became the Vice President of Formula boats. Jack managed the west coast manufacturing plant located in Paso Robles for over a decade. He believed that building a high-quality product and developing an excellent dealer network would increase production and sales. (It Worked). Jack was an active community member; with leadership roles in Rotary club, Chamber of Commerce, his local church, and the Manufacturer's Association. He also played on the company's softball team.

In the mid 1980s, Jack moved his family to Newport Beach and with partners founded Bayport Yachts. His family joined the company in various roles. Jack's involvement in his community continued. He dedicated his free time to supporting the marine industry by serving on the boards of SCMA (Southern California Marine Association) and was President of CYBA.

JR took the role of President of Bayport Yachts so Jack and Barbara could enjoy retirement. Although he officially retired a few years ago, you could still find him making a deal at the Newport or San Diego Boat Shows.



Dave Millett, May 26, 2024

It is with great sadness that we announce the passing of Dave Millett, who was a very active member and contributor to the CYBA for 10 years.

Dave Millett loved sailing. He was an owner, a coach, a judge, an umpire, a 100 ton Captain, the Chair of the world-class Congressional Cup and more. From his first voyage on a Sabot to his last on a TP52, he enjoyed every sail, although it was Transpac that held a special place in his heart.

Dave took great pride in representing Denison Yachting. He was always putting his clients first, making sure they were fully informed every step of the way. Often Dave's clients became his friends and he sailed competitively on their racing programs. After the sale, support was his specialty. One time he had a late night call from a remote island where the owner lost his prop and asked Dave to help him find a replacement. Of course, the part was in the air within 24hrs.

Dave's dedication to being fully present in every moment defined him. He believed that the greatest gift you can give someone is your time and undivided attention.

It is believed that Abraham Lincoln said, "In the end, it's not the years in your life that count. It's the life in your years." Dave truly embodied this sentiment, filling his years with life and passion that many of us aspire to.

There will never be another Dave Millett, so let us carry forward the lessons he taught us: to be present, to listen deeply, to be kind immediately, and to embrace every moment.



It is with great sadness that we report the loss of **Captain David L McCoy**, 56, of Roseville, CA. David was born on April 12, 1967 and passed away due to congestive heart failure on March 28, 2024. David was born in Bayport, NY and grew up in Selden on Long Island. He attended State University of New York Brockport and moved to California in 1988. David was a true entrepreneur who worked in many industries and owned several businesses in his lifetime, including insurance, real estate, property management, boat captain and yacht salesman. David obtained his 75-ton captain's license in 1996 and in 1997 started his own dinner cruise company on the San Francisco Bay. He sold that in 2006 and began driving for the Capitol Hornblower in Sacramento in the mid-2000s. David worked for Richard Boland Yacht Sales as a state licensed yacht salesperson and became a member of the California Yacht Brokers Association in 2021. David joined the Coastguard Auxiliary in 2022. David renewed his captain's license to 100 ton and he and his family planned on moving to Lakewood Ranch, FL this summer where he would continue his love of the water with the Coast Guard Auxiliary and other Captaining adventures.

David is survived by his wife Robin McCoy, his two children Tara and Matthew McCoy and his mother Terri McCoy. Private services will be held on May 11 at Bayside Church Blue Oaks in Roseville. His family will continue to honor the legacy of David by ensuring the future is filled with many boating excursions and laughter.



Board Of Director's Meeting... (cont. from page 22)

applications. The current policy is 4 days to review app and send formal complaints. Emails suffice for now. Dean suggested boat come up with protocol to address complaints on new members on off meeting group. Wayne to head the process and may form committee.

Sponsorships – No written report. No new sponsors. All board members to work and recruit sponsors. Jeff Merrill has offered to help. Mark to discuss with Jeff.

Boat Show Report – Jim Behun. A few more boats than last year. Exhibitors sold boats and got good leads. Booths not so good. Lower attendance this year. Discussed possibility of combining show with car show. Add seminars. Marketing avenues discussed. Social media needs to be investigated with the idea to drop radio and TV. Synergies in place with Yacht clubs and restaurants for next year. Lost money this year with goal to break even next year. Final profit & loss statement to come. Review of TY photos.

April CYBA board meeting minutes. Newport Beach Boat show paragraph needed for newsletter along with paragraph on Cal Yacht Club show. Banner missing with thought to get new one. San Diego boat show CYBA booth can be had at 50% discount. Motion to

purchase booth made by Jim Murrell, second Peter. Motion passed.

Website/Newsletter Report – Newsletter delayed. Bigger issue to come with delay. Article will reference the commission lawsuit. No sponsored articles! Self-insurance topic included. Call for volunteers to call sponsors for articles. Board members reminded to submit articles. CYBA website several updates made.

Legal – ABC follow up to come. Article to come for newsletter.

By Laws & Ethics – No report. Discussion of language to use in membership invoices and suspensions for non-pay.

Arbitration – 1 current case to be heard in August. 1 new file presented by buyer's broker.

Annual Events –

Legal Seminar – Approved for Newport Beach Marine Park on October 9th. 177 Parking spaces. Article for newsletter to come with Save the Date. Annual Dinner – Lelanie checking locations. Looks like Queen Mary in Long Beach will be the location. Approval by treasurer to pay lunch invoice for committee.

Board to publish and committee expense policy.

Old Business – Discussion of policy enforcement for any board member missing more than 3 consecutive meetings. Mark to talk to board members in breach.

Discussion to promote use of 50th anniversary logo starting now for next year. Motion made and passed to use 50th Anniversary logo. Try to use Banner logo when appropriate if type can be made readable.

Discussion on charity support that aligns with the mission on the CYBA. Dock walkers and Yachtaid Global to be investigated.

Dean discussed his PowerPoint on insurance companies affected by the money removed from the abandoned and derelict boat act. Santa Barbara marina received notice many of its tenants are not being renewed by Progressive, Safeco, and Geico.

Suntex Marina policy of no broker signs of boat showing in its marinas discussed. Nick suggested two tier insurance policies could be drivers. Dean commented his believe the DBW laws require broker access. Table for more information.

Next Meeting at the Silvergate Yacht Club August 29th.

The meeting adjourned.

New Affiliate Member And Gold Level Sponsor

Boat Universe is a new, user friendly MLS for brokers and dealers. Built by a semi-retired broker, and offering a 12-month free trial with no obligations if you sign up before August 1st, 2024. Boat Universe offers a simple, easy to navigate web site with quality pictures and a simplified search engine. Unlike some other MLS's, Boat Universe is eager to please and offers 3 basic price rates and no extra fees for additional salespersons or brokers - ever! Plans are to add additional services as they become available as ongoing work continues to update the MLS site. Their goal is to grow to be world known while continuing to provide a reasonable alternative to getting Boats and Yachts, of all styles and sizes, noticed - and

more importantly - SOLD!
boatuniverse.com@gmail.com

www.boatuniverse.com
818-767-7131.

Calendar Of Events

August 29, 2024, 1:00 PM
Board of Directors Meeting
Silver Gate Yacht Club, San Diego

October 8, Time & Location TBA
Board of Directors Meeting
Newport Beach, CA

October 9, 2024, 9:00 AM
27th Annual CYBA Legal Seminar
Marina Park Community Center
1600 W. Balboa Blvd
Newport Beach CA

