



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

INVESTIGATIVE REPORT

Office: West Palm Beach Region VIII | Date of Complaint: 09/24/2012 | Case Number: 2012-040635

Subject: MICHELE E. REILLY 3001 S.E. Doubleton Drive Stuart, Florida. 34997 (201) 745-7518 MReilly24@Comacast.net	Source: VINCENT & REGINA VITTI 4673 S.E. Waterford Drive Stuart, Florida. 34997 LocalChapter@yahoo.com
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Prefix: CAM	License #CAM 40808 Current, Active	Profession: Community Association Manager	Board: (07) CAM	Report Date: 01/03/2013
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Period of Investigation: 09/27/2012 – 01/03/2013	Type of Report: FINAL
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Alleged Violation: F.S. 468.432 (1) Activity managing a community association with a voided license.

Synopsis:

This investigation is predicated upon a complaint submitted by VINCENT & REGINA VITTI. The VITTI'S allege that MICHELE E. REILLY, who is an employee of Willoughby Golf Club in Stuart Florida, has been acting in the capacity of the Community Association Manager for the Willoughby Golf Club. VITTI alleges that at the time of this complaint, MICHELE REILLY was not a licensed Community Association Manager.

MICHELE REILLY was notified of the investigation by letter dated 10/01/2012 to 3001 S.E. Doubleton Drive. Stuart, Florida. REILLY was supplied with a copy of the Uniform Complaint form and accompanying documents.
(Exhibit: OnBase - Notification Letters. 10/01/12)

A check of DBPR computer records revealed that **at the time of the filing of this complaint**, MICHELE REILLY'S Community Association Managers License expired on 09/30/2008.
(Exhibit: OnBase – Licensure Data. 10/01/12)

Current DBPR records reveal that MICHELE REILLY has **renewed** her Community Association Managers License as of 11/13/2012. REILLY'S license #CAM40808 is CURRENT/ACTIVE and expires 09/30/2014.
(Exhibit: OnBase - Licensure Data. 01/03/13)

REILLY is not known to be represented by an attorney.

Related Case: N/A


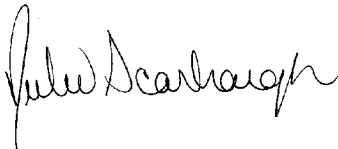
Investigator/Date: 01/03/2013	Approved By/Date: 01/16/2013
	
W. Jeff Holland-Investigator Specialist II	Julie Scarbrough, Supervisor, Region VIII. WPB.

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INVESTIGATIVE REPORT

CASE NUMBER: 2012-040635

Investigation reveals that VINCIENT & REGINA VITTI are current owners and residence at Willoughby Golf Club. 4673 S.E. Waterford Drive. Stuart Florida. (*Exhibit: OnBase – Documents Supporting Complaint. 1/3/2013*)

Documents show that Willoughby Golf Club Inc was filed with the Florida Divisions of Corporations in 1988. The principle address is 3001 S.E. Doubleton Drive. Stuart Florida. The Registered Agent is Kristy Taylor.

The Officers and Directors are as follows:

Janet Walsh (DP)
Lois Case (DS)
John Roberts (DT)
George Lundstedt (DVP)
Gerald Tankersley (D)
Chuck East (D)
(*Exhibit: OnBase - Licensure Data. 01/03/13*)

VITTI alleges that MICHELE REILLY has been performing as an unlicensed Community Association Manager for Willoughby Golf Club Inc. from the time her CAM license expired in September 2008. VTTI alleges the following:

- REILLY does not work for a licensed CAM and that REILLY is not a licensed CAM.
- REILLY manages Willoughby funds, writes checks, and prepares financial statements and budgets.
- REILLY approves and negotiates contracts in behalf of Willoughby.
- REILLY conducts and provides notices of Willoughby Association Meetings.
- REILLY coordinates overall operation of Willoughby and supervises employees.

Response to allegations relating to REILLY:

Allegation #1: *REILLY does not work for a licensed CAM and that REILLY is not a licensed CAM.*

Response: REILLY states that Debbie Unger has been the licensed Community Association Manager for Willoughby Golf Club since May of 2008. The individual who held REILLY'S position (General Manager) was not a licensed CAM and the club had been advised by counsel that it was not necessary as Debby Unger was providing oversight into the CAM required functions. (*Exhibit: OnBase – Subjects Response. 10/10/2012*)

A check of DBPR computer records revealed that **at the time of the filing of this complaint**, MICHELE REILLY'S Community Association Managers License expired 09/30/2008. REILLY renewed her CAM License on 11/13/2012. (*Exhibit: OnBase – Licensure Data. 10/01/12 & 01/03/12*)

Deborah L. Unger holds a Current/Active CAM license that was first issued 05/07/2008 and expires 09/30/2014. #CAM32631. (*Exhibit: OnBase – Licensure Data..01/03/12*)

REILLY states that she and Debby Unger do not have a management agreement. The Club Managers Association Guide is used for job descriptions and they do have one for General Manager. REILLY states that she had never reviewed the current description for General Manager and that it has never been reviewed with her by her employer. Any language in the job description or duties is before the Club and the HOA merged.

(Exhibit: OnBase – Correspondence. 11/5/2012. Page 1 of 3)

Allegation #2: *REILLY manages Willoughby funds, writes checks, and prepares financial statements and budgets.*

Response: Of the allegations involving the managing of Willoughby funds, deposits, checks, financial statements, and budgets, the following documentation was found:

Documentation shows the following from the Board of Directors Board Minutes for 2009 and 2012 for Willoughby Golf Club. Of the Directors listed as present, it was noted that MICHELEL REILLY also attended. REILLY was described in the minutes as **General Manager**.

Documentation shows the following from the Board of Directors Board Minutes: Friday, October 30, 2009:
A motion was made, duly second and unanimously approved to authorize (4) four signers on a Seacoast bank account. REILLY was one of the (4) four individuals listed to be an approved authorizer on the bank accounts.
(Exhibit: OnBase – Documents Supporting Complaint. 11/15/12. Page 1 of 2)

REILLY stated in an interview on 10/10/12 that Debby Unger reconciles all bank statements (working together with the accounting department) REILLY stated that she (REILLY) does not receive funds from unit owners by check or cash, does not manage nor control petty cash, and does not write receipts or make bank deposits. REILLY stated that she does not prepare or have any input into the monthly financial statements for Willoughby Golf Club.
(Exhibit: OnBase – Subjects Response. 10/10/2012)

REILLY stated during an interview on 01/11/13, that she does occasionally sign checks however she does not write checks. REILLY states that the club has a “dual signature policy”.
(Exhibit: OnBase - Investigative Report - Interview – 1/11/13. Page 8)

Allegation #3: *REILLY approves and negotiates contracts in behalf of Willoughby.*

Response: Documentation shows a Service Agreement from Oasis Outsourcing dated 01/05/11. This Service Agreement between Oasis Outsourcing and Willoughby Golf Club is signed by REILLY, dated 01/06/11. Investigation also revealed (3) three Notices of Commencement. The (3) three Notice of Commencements are signed by REILLY. *(Exhibit: OnBase – Documents Supporting Complaint. 01/11/13) Page 11 & 20 of 23)*

Allegation #4: *REILLY conducts and provides notices of Willoughby Association Meetings.*

Response: Interview statements from Board Member Silvia Bonaccorso and Board Member Treasurer John Roberts, gave no indication that REILLY conducts or issues notices of Willoughby Association Meetings. Bonaccorso stated that the scheduling of Association Meetings is done by the President of the Board. Board Member and Treasurer John Roberts concurred. The Secretary recorded all meeting minutes.
(Exhibit: OnBase - Investigative Report - Interview – 1/6/13. Page 5)

Allegation #5: *REILLY coordinates overall operation of Willoughby and supervises employees.*

Response: Interview statements from Board Member Silvia Bonaccoroso and Board Member Treasure John Roberts collaborated the following chain of command at Willoughby Golf Club: Debbie Unger, the current licensed CAM, reports to REILLY. REILLY, The General Manager, reports to Janet Walsh the President of the Board at Willoughby Golf Club. During the phone interview with Board Member Silvia Bonaccoroso, Bonaccoroso stated that REILLY was the General Manager and coordinates the overall operation of Willoughby Golf Club. Bonaccoroso stated that the Board acts as an advisory platform.

Board Member Silvia Bonaccoroso and Board Member Treasure John Roberts stated that REILLY does supervise and oversee the General Maintenance, Food & Beverage Committees and Membership Committees.

(Exhibit: Investigative Report - Interview – 1/6/13. Page 5)

INVESTIGATORS NOTE: On 1/16/13, VITTI supplied additional documentation to support the complaint that REILLY performed CAM responsibilities while she (Reilly) was not licensed.
(Exhibit: OnBase – Documents Supporting Complaint. 1/16/13. Page 1 -16)

INTERVIEW 01/09/13

DR. SILVIA BONACCOROSO (Board Member)
Willoughby Golf Club
3001 S.E. Doubleton Drive.
Stuart, Florida. 34997
772-287-6357
Silvia.Bonaccoroso@gmail.com

The undersigned Investigator interviewed BONACCOROSO via telephone on 01/09/13 and BONACCOROSO stated the following:

- BONACCOROSO stated that she has been a Board Member for Willoughby for one year.
- BONACCOROSO stated that at Willoughby Golf Club, that the Board performs as an “advisory” committee and that the CAM and General Manager have the ultimate decision.
- BONACCOROSO stated that she did not have any knowledge of REILLY receiving funds from owners or handling funds any matter.
- BONACCOROSO stated that Debbie Unger is and has been the licensed CAM for Willoughby during BONACCOROSO tenure on the Board.
- BONACCOROSO stated that REILLY is the General Manager. Debbie Unger (CAM) reports to REILLY. Kristy Taylor (Controller) reports to REILLY. REILLY reports to Janet Walsh, the President of the Board.
- BONACCOROSO stated that other committee heads do report to REILLY. Example: Food & Beverage Committee, Maintenance, and Membership.
- BONACCOROSO states that REILLY does not determine when the Board meetings will occur or post notices relating to the Board meetings. The President of the Board schedules meetings and gives notice.

INTERVIEW 01/09/13

JOHN ROBERTS (Board Member & Treasure)
Willoughby Golf Club
3001 S.E. Doubleton Drive.
Stuart, Florida. 34997
772-219-0915

The undersigned Investigator interviewed ROBERTS via telephone on 01/09/13 and ROBERTS stated the following:

- ROBERTS stated that he was the Treasure and a Director on the Board for Willoughby.
- ROBERTS stated that Debbie Unger was the CAM for Willoughby and that REILLY is the General Manager.
- ROBERTS stated that Debbie Unger reports to REILLY.
- ROBERTS stated that REILLY is a signer on the bank account however does not write checks or make deposits.
- ROBERTS stated that REILLY does attend Board Meetings and may give "input" when needed, however REILLY does not schedule Board Meeting or give notice of Board Meetings.
- ROBERTS stated that REILLY is the General Manager. Debbie Unger reports to REILLY. REILLY reports to Janet Walsh, the President of the Board.

INTERVIEW 01/09/13

MICHELE E. REILLY (General Manager)
Willoughby Golf Club
3001 S.E. Doubleton Drive.
Stuart, Florida. 34997
201-745-7518
Mreilly@Willoughbygolfclub.com

The undersigned Investigator interviewed REILLY via telephone on 10/08/12, 11/02/12 and 1/09/13. REILLY stated the following:

- REILLY stated that her CAM license had expired, however Debbie Unger was performing in the capacity of the CAM for Willoughby Golf Club. Debbie Unger has been the licensed Community Manager since May 2008.
- REILLY stated that prior to this complaint being filed with the DBPR, that she intended on taking steps to reactivate her CAM license to be able to teach CAM related courses at the local college. There was no intent on her part or the Club to avoid a licensing requirement, REILLY reapplied in an abundance of caution.
- REILLY stated that she has completed the continued education and her CAM license is now active and current.
- REILLY stated that in response to the allegations, that the process for the noticing of board meetings and posting of minutes was in place upon her arrival (May 2009) and it has not been modified.
- REILLY stated the following as to the allegations of performing duties of a CAM while not licensed:
 - ✓ Maintenance problems within the community are reported to Debby Unger and she reconciles all bank statements (working together with the accounting department)
 - ✓ I personally do not receive funds from unit owners by check or cash. I do not write receipts or make bank deposits.
 - ✓ I do not issue club checks, however I do sign club checks when needed. The club has a dual signature policy for checks, and the Board did approve me as a signee on the club accounts.
 - ✓ I do not manage nor control petty cash. I do not make changes in the association accounts. Invoices are approved by individual department heads.
 - ✓ I do not prepare nor have input into the monthly financial statements. There is an accurate reporting of financial activity as captured by our point of sale and accounting departments.
 - ✓ I do not schedule association meetings (it is done by the President of the Board) nor do I conduct association meetings (also done by the President of the Board or the Vice President

in her absence.) The Secretary is responsible for the minutes of all meetings. I am not the registered agent of the club.

- ✓ The individual who held my position prior to my arrival was not a licensed community manager and the Club had been advised by counsel that it was not necessary as Debby Unger was providing oversight into the required functions.
- ✓ Debby Unger nor I have a management agreement nor is there any up dated job description for each position. Job descriptions that exist are from the old HOA before the club merged.

INTERVIEW

REGINA VITTI (Complainant)
Willoughby Golf Club
3001 S.E. Doubleton Drive.
Stuart, Florida. 34997

The undersigned Investigator interviewed VITTI via telephone on multiple occasions between the dates of 10/08/12 and 01/11/13. VITTI stated the following:

- VITTI stated that REILLY has performed many duties at Willoughby over the last four years that should be performed by a licensed CAM.
- VITTI stated that REILLY only renewed her license because the DBPR was now investigating.
- VITTI stated that she (Vitti) served on the Food & Beverage Committee for Willoughby Golf Club for the past two years. During monthly F & B Committee meetings, REILLY presented written Financial Reports to the committee members, and discussed the Financial and Budget Reports with the committee.
- VITTI states that REILLY addresses annual Membership Meetings with the Board of Directors.
- VITTE states that she has provided documentation to support the general allegations to support the fact that REILLY performed CAM duties while her license was null and void.