



# FIDUCIARY BOARD

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Hearing Room 109

**May 12, 2022**  
**10:30 a.m.**

## Final Draft Regular Meeting Minutes

### MEMBER ATTENDANCE:

#### Present:

#### Telephonically Present:

#### Absent:

Deborah Primock, Chair  
Teresa Lancaster-Joined (11:47 a.m.)  
Diana M. Corry-Left (11:45 a.m.)  
Elaine Acosta Sweet  
Emily Kile  
Sharon Yates  
Belvet Elsouhag-(Joined 11:37 a.m.)  
Paul Friedman

Hon. Jay M. Polk

### OTHER ATTENDEES:

#### AOC Staff:

Aaron Nash  
Kristina Tuba  
Margaret Lindsey  
Wil Castro  
Hal White  
Pasquale Fontana  
Lisa Hauser  
Janelle Bauserman  
Arnita Oliver  
Yesenia Corella

#### Guests:

Josephine M. Jones  
Shelley Plumer  
Stephanie Sena-Ochoa  
Susan Wulff  
Samantha Stirling  
Bill Chalmers  
Sean Smith  
Catalina Contreras  
Jennifer Smith  
Maureen Welch  
Susana Chavez  
Patricia Flores  
L. Garcia

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**CALL TO ORDER**

*Called to Order By:* Deborah Primock, Chair

*Time:* 10:33 a.m.

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**1) EXECUTIVE SESSION:**

**1-A: *Legal Advice regarding meeting agendas***

**ENTERED EXECUTIVE SESSION – 10:35 a.m.**

*Individual Addressing the Board:* Lisa Hauser

*Discussion:* Brief discussion regarding meeting agendas.

*End Time:* 10:48 a.m.

**2) REVIEW AND APPROVAL OF MINUTES:**

**2-A: *Review and approval of regular minutes for the meeting held on March 10, 2022.***

*Individual Addressing the Board:* Deborah Primock, Chair

*Discussion:* None

*Motion:* Consideration of and motion to approve the regular session minutes for the meeting held on March 10, 2022, with stated amendments.

*Motion Proposals:* First Paul Friedman  
Second Elaine Acosta Sweet

*Motion Results:* Pass

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**3) PENDING COMPLAINTS:**

**3-A: *Review, discussion, and update regarding Complaint No. 20-0003 involving Patricia Flores.***

*Individual Addressing the Board:* Pasquale Fontana

**Discussion:** Having adopted the findings and conclusions, the Board orders the following disciplinary sanction in complaint number 20-0003 pursuant to ACJA § 7-201(H)(24)(a)(6)(b) and §7-201(H)(24)(a)(6)(e):

- a. Issue a Censure to Flores; and
- b. Place Flores on probation, the terms of which are:
  - i. Flores submits to an audit of her fiduciary files and practices, at Flores' expense, to be performed by a third party mutually agreed upon by the Division and Flores. At the request of the Division, the auditor shall provide interim reports or information to the Division. The auditor shall also monitor Flores' correction of any deficiencies. If the Division and Flores cannot agree on the auditor, the matter shall be brought back to the Board at the next regularly scheduled meeting for final determination.
  - ii. Flores' license be restricted so that she cannot accept any new clients for which she may be licensed or would otherwise serve in a fiduciary capacity. The license restriction and the probationary period shall continue until the audit is completed and Flores has resolved, to the satisfaction of the Board, any deficiencies uncovered by the audit, but in no event shall the probationary period be less than one year from the date the audit begins.
  - iii. This Order does not affect or limit, in any manner, further disciplinary action if the audit uncovers violations of statutes, rules, or the administrative code.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Paul Friedman

**Motion Results:** Pass

**3-B: Review, discussion, and update regarding Complaint Nos. 190001 through 19-00004, 19-0013 through 19-0016, 1-0022 and 19-0023 involving license holders Lisa Price and Entrust Financial Services, Inc.**

**Individual Addressing the Board:** Pasquale Fontana

**Discussion:** Staff recommends the Board find Lisa Price and Entrust Fiduciary Services, Inc. in default and enter a Final Order revoking the

licensure for Lisa Price and Entrust Fiduciary Services, Inc. Staff also recommends the Board vote to hold any other outstanding complaints in abeyance.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Paul Friedman  
Second Emily Kile

**Motion Results:** Pass

**3-C: Review, discussion, and update regarding Complaint No. 18-0061 involving Diane Prescott.**

**Individual Addressing the Board:** Pasquale Fontana

**Discussion:** It is recommended the Board enter an order revoking the fiduciary license of Diane Prescott.

It is further recommended that any new or open complaints involving Diane Prescott be held in abeyance pending final resolution of this matter.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Paul Friedman  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**3-D: Update regarding pending complaints**

**Individual Addressing the Board:** Margaret Lindsey

**Discussion:** As of May 5, 2022, there are 21 open complaints, 1 of which have been presented on this agenda under Agenda Item 3-A.

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#### **4) INITIAL LICENSURE AND ELIGIBILITY**

**4-A: Review, discussion, and possible action regarding the following applications for individual and business licensure:**

- Shelley Plumer
- Paul Willman
- Zachary Taylor
- Jessica Gonzalez
- Norma Contreras

- **Best Interest Fiduciary Services, LLC**

**Individual Addressing the Board:** Wil Castro

**Discussion:** Staff recommends initial licensure be granted with the contingent deferred effective date of June 1, 2022, for the following applicants:

- **Shelley Plumer**
- **Zachary Taylor**
- **Jessica Gonzalez**
- **Norma Contreras**
- **Best Interest Fiduciary Services, LLC**

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Paul Friedman  
Second Sharon Yates

**Motion Results:** Pass

**Discussion:** Staff recommends initial licensure be granted with the standard non-disclosure language and a contingent deferred effective date of June 1, 2022, for the following applicant:

- **Paul Willman**

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Teresa Lancaster

**Motion Results:** Pass

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## 5) **LICENSURE AND ELIGIBILITY:**

**5-A: Review, discussion, and possible action regarding voluntary surrender request received from the following license holders:**

### 1. **Joseph G. Noviello #20232**

**Individual Addressing the Board:** Kristina Tuba

**Discussion:** Staff recommends voluntary surrender be granted to Joseph G. Noviello.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Paul Friedman  
Second Emily Kile

**Motion Results:** Pass

**5-B: Review, discussion, and possible action regarding inactive status request received from license holders:**

1. Peter Santini #20199
2. Crystal Cilitto #20793
3. Antonella Campos #20789

**Individual Addressing the Board:** Kristina Tuba

**Discussion:** Staff recommends inactive status be granted to the following applicants:

1. Peter Santini #20199
2. Crystal Cilitto #20793
3. Antonella Campos #20789

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Paul Friedman  
Second Elaine Acosta Sweet

**Motion Results:** Pass

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**6) ADMINISTRATIVE ISSUES:**

**6-A: Rule Change Petitions and Comments: R-22-0008 and R-22-0019.**

**Individual Addressing the Board:** Aaron Nash

**Discussion:** R-22-0008: Would amend Rules 45(c) and (e) of the Arizona Rules of Probate Procedure to require a conservator to provide statements, appraisals, or other documentation to support his or her initial inventory and to attach to the annual account any HUD-1 or similar settlement statement for any real property that was sold during the account period.

R-22-0019: Would amend Rule 45 of the Arizona Rules of Probate Procedure to require a conservator to amend his or her initial inventor before the first account if the conservator discovers additional assets or learns that an asset's value is erroneous or misleading.

**6-B: ACJA 7-201: General Requirements. The Division recommends the Board support a proposal to create a contingent approval process.**

**Individual Addressing the Board:** Aaron Nash

**Discussion:** The Division recommends a new subsection 7-201(E)(1)(a)(11), inserting the process for contingent approval. Stating that the Division “may” prepare and forward a recommendation to a Board gives the Division discretion to place an applicant on a Board agenda before fingerprint results have been reviewed. For example, for applicants who have been regulated for some other purpose and who have no apparent history of discipline. As is current practice, applicants would not be certified or licensed until they clear the background/fingerprint review.

**Motion:** Consideration of and motion to accept the proposed rule changes.

**Motion Proposals:** First Paul Friedman  
Second Elaine Acosta Sweet

**Motion Results:** Pass

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## CALL TO THE PUBLIC

**Individuals Addressing the Board:** Bill Chalmers

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## ADJOURNMENT

**Motion:** Move to adjourn.

**Motion Proposals:** First Paul Friedman  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**Time:** 12:01 p.m.

Initials: AO