



## FIDUCIARY BOARD

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Conference Room 119

**May 30, 2024**  
**10:00 a.m.**

### Approved Regular Meeting Minutes

#### MEMBERS ATTENDANCE:

##### Present:

Hon. Jennifer Perkins-*Chair*  
Elaine Acosta Sweet-*Vice Chair*

##### Telephonically Present:

Diana M. Corry  
Jeanette S. Bloss  
Zora Manjencich  
Hon. Brian Hauser  
Vinay M. Singh

##### Absent:

Teresa Lancaster  
Sharon Yates  
Deborah Primock

#### OTHER ATTENDEES:

##### AOC Staff:

Aaron Nash  
Pasquale Fontana  
Bill Macintyre  
Janelle Bauserman  
Jared Arthur  
Jeff Hunt  
Lorraine Brown  
Wil Castro  
Alexis Towey  
Téa Bravo  
Arnita Oliver

##### Guests:

Andrew Stone  
Nicole Corona  
Bill  
David McHenry  
Deborah  
Heather Bull  
Heidi Ernst  
Jeanne Gale  
Jessica Fanta  
Jessica McArthur  
I Short  
Lew Ann Perry  
Sara Stark  
Shawnie Patterson  
Josie Gonzales  
Austin Schulte  
Becky Brimhall

S. Smith  
Stephanie McCollum  
Susan Wulff  
Taylor Galas  
Theresa Whitfield  
Jenni Goldman  
Mikaela  
Fiduciary  
Letty Segovia  
Kallie Knight  
Tara Lara  
SL  
Stubler Fiduciary Services  
LaToya Sibley  
Sarah Blanton Curiel  
Candace Crossland  
1-480-....470

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## CALL TO ORDER

*Called to Order By:*

Hon. Jennifer Perkins, *Chair*

*Time:*

10:04 a.m.

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### 1) REVIEW AND APPROVAL OF MINUTES

*1-A: Review, discussion, and possible action regarding the regular session minutes of the meeting held on March 14, 2024.*

*Individual Addressing the Board:*

Hon. Jennifer Perkins-*Chair*

*Discussion:* None

*Motion:* Approve the regular session minutes of the meeting held on March 14, 2024.

*Motion Proposals:* First Elaine Acosta Sweet  
Second Zora Manjencich

*Motion Results:* Pass

*1-B: Review, discussion, and possible action regarding the emergency session minutes of the meeting held on March 28, 2024.*

*Individual Addressing the Board:*

Hon. Jennifer Perkins-*Chair*

*Discussion:* None

*Motion:* Approve the emergency session minutes of the meeting held on March 28, 2024.

*Motion Proposals:* First Vinay Singh  
Second Diana M. Corry

*Motion Results:* Pass

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### 2) PENDING COMPLAINTS/COMPLIANCE AUDITS

*2-A: Update regarding pending complaints and audits.*

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***Individual Addressing the Board:***

Pasquale Fontana

***Discussion:*** Informational Update: As of May 21, 2024, there are \*76 open complaints. At the March 14, 2024, Board meeting there were 71 complaints. As of May 20, 2024 there \* 4 open compliance audits pending final reports.

***Note:*** \*Complaints are open until probable cause is determined. The total open complaints represent complaints under investigation.

***2-B: Review, discussion, and possible action regarding Complaint No. 21-0009 involving license holder Nicole Corona***

***Individual Addressing the Board:***

Janelle Bauserman

***Discussion:*** Complaint Number 21-0009 involving Nicole Corona was initially presented to the Board on March 9, 2023. The Board voted to issue a Censure to Corona with conditions including probation for one year and a compliance audit conducted by a third-party auditor. The Board directed the Certification and Licensing Division (“Division”) staff to negotiate a Consent Agreement with Corona.

Although Corona declined the initial proposed Consent Agreement, after obtaining counsel Corona executed the Consent Agreement on August 29, 2023; and the Board executed the Consent Agreement on September 26, 2023.

The Division periodically contacted Corona, via counsel, requesting information on who she retained as a third-party auditor to conduct the compliance audit. At each inquiry, Corona reported she had not secured a third-party auditor. On February 8, 2024, Corona’s counsel informed the Division that after consulting with a third-party auditor, Corona believed the cost of complying with the Consent Agreement was unmanageable and she wanted the Board to consider her voluntarily surrendering her fiduciary license. The Division offered to conduct the compliance audit with Division staff in lieu of Corona paying for a third-party auditor. Corona declined and expressed her desire to negotiate the voluntary surrender her fiduciary license.

An Amended Consent Agreement which included terms of censure; renewal of Corona’s fiduciary license by end of the renewal period ending May 31, 2024; transfer and appointment of all cases for which Corona serves in a fiduciary capacity by June 30, 2024; and voluntary surrender of her fiduciary license was executed by Corona on March 27, 2024, and by the Board on April 4, 2024.

**Motion:** Motion to extend consent agreement deadline to September 30, 2024.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Hon. Brian Hauser

**Motion Results:** Pass

**Note:** Nicole Corona and Sara Stark, counsel addressed the board.

**2-C:** *Review, discussion, and possible action regarding Complaint Nos. 21-0013, 21-0014, 21-0015, and 21-016 involving license East Valley Fiduciary Services, Inc., Michael Bogle, Andrew Stone and Tanya Malos.*

**Individual Addressing the Board:** Bill MacIntyre

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Andrew Stone, Michael Bogle, Tanya Malos, and East Valley Fiduciary Services, Inc., have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report in Complaint Numbers 21-0013, 21-0014, 21-0015 & 21-0016.

It is further recommended the Board dismiss Complaint Numbers 21-0013, 21-0014, 21-0015 & 21-0016, with prejudice.

**Motion:** Accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Vinay Singh

**Motion Results:** Pass

**2-D:** *Review, discussion, and possible action regarding Complaint Nos. 22-0062, 23-0042, and 23-0059 involving license holder Theresa Whitfield.*

**Individual Addressing the Board:** Pasquale Fontana

**Discussion:** Complaint numbers 22-0062, 23-0042, and 23-0059 involving Theresa Whitfield were initially presented to the Board on March 14, 2024. The Board accepted the findings of the Probable Cause Evaluator that Whitfield has committed the violations as detailed in the Investigation Summary. The Board accepted Staff's recommendation to revoke Whitfield's individual fiduciary license and ordered the filing of Notice of Formal Charges and Right to Hearing.

On April 4, 2024, the Board filed the Notice of Formal Statement of Charges and Right to Hearing in Complaint Numbers 22-0062, 23-0042,

and 23-0059. Division records show Whitfield was formally served on April 8, 2024. The Division does not have a record of Whitfield filing an Answer to the Notice of Formal Statement of Charges and she did not request a hearing.

It is recommended the Board find Theresa Whitfield in default and enter a Final Order revoking the individual fiduciary license of Theresa Whitfield subject to reinstatement requirements ACJA 720(1)(e) 9.

**Motion:** Motion to defer to the July 11<sup>th</sup> meeting.

**Motion Proposals:** First Hon. Brian Hauser  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**Note:** Theresa Whitfield addressed the board.

**2-E: Review, discussion, and possible action regarding Complaint No. 22-0079 involving license holder Tiffany Poarch.**

**Individual Addressing the Board:** Janelle Bauserman

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Tiffany Poarch has not committed the alleged acts of misconduct as detailed in the Investigation Summary in Complaint Number 22-0079.

It is further recommended the Board dismiss Complaint Number 22-0079, with prejudice.

**Motion:** Accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Diana Corry

**Motion Results:** Pass

**2-F: Review, discussion, and possible action regarding Complaint No. 22-0080 involving license holder Pamela Philips.**

**Individual Addressing the Board:** Janelle Bauserman

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Pamela Phillips has not committed the alleged acts of misconduct as detailed in the Investigation Summary in Complaint Number 22-0080.

It is further recommended the Board dismiss Complaint Number 22-0080, with prejudice.

**Motion:** Accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Zora Manjencich

**Motion Results:** Pass

**2-G: Review, discussion, and possible action regarding Complaint No. 23-0014, 23-0015, 23-0016, 23-0020 involving license holder Maricopa County Public Fiduciary, Josephine Jones, Cindy Gonzales, and David McHenry.**

**Individual Addressing the Board:** Jared Arthur

**Discussion:** The Division recommends the Board accept the finding of the Probable Cause Evaluator and enter a finding Maricopa County Public Fiduciary, Josephine Jones, Cindy Gonzales, and David McHenry have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and the Probable Cause Review, in Complaint Numbers 23-0014, 23-0015, 23-0016 and 23-0020.

The Division further recommends the Board dismiss Complaints Numbers 23-0014, 23-0015, 23-0016, and 23-0020, with prejudice.

**Motion:** Accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Hon. Brian Hauser

**Motion Results:** Pass

**Recusals:** Vinay Singh

**2-H: Review, discussion, and possible action regarding Complaint No. 22-0049 involving license holder Jason Cobb.**

**Individual Addressing the Board:** Aaron Nash

**Discussion:** On March 26, 2024, Jason Cobb ("Cobb") and the Board executed a Consent Agreement which included the voluntary surrender of Cobb's fiduciary license. Cobb, via counsel, forwarded to the Certification and Licensing Division ("Division") an executed the Voluntary Surrender of License, dated May 21, 2024.

Informational update: It has been received per the terms in the agreement.

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3) **INITIAL LICENSURE AND ELIGIBILITY**

**3-A:** *Review, discussion, and possible action regarding the following applications for initial individual and/or business licensure:*

1. *Jessica McArthur*
2. *Jose Lopez*
3. *Austin Schulte*
4. *Amanda Sigmund*
5. *Tonia Melius*
6. *David McHenry*

**Individual Addressing the Board:**

Alexis Towey

**Discussion:** Jessica McArthur applied for initial fiduciary licensure. The applicant successfully passed the fiduciary programs examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. The applicant has also attended the fiduciary professional training.

The Division recommends the Board grant initial fiduciary licensure to Jessica McArthur contingent on her paying the remaining \$200 application fee within two weeks of this Board's meeting date. A later effective date of licensure will be applied once Division staff has confirmed the payment.

**Motion:** Accept staff's recommendation.

**Motion Proposals:** First Diana Corry  
Second Hon. Brian Hauser

**Motion Results:** Pass

**Recusals:**

**Individual Addressing the Board:**

Alexis Towey

**Discussion:** Jose Lopez applied for initial fiduciary licensure. The applicant successfully passed the fiduciary programs examination and has submitted a complete application demonstrating that he meets the minimum education requirements. The applicant has also attended the fiduciary professional training.

The Division recommends the Board grant initial fiduciary licensure to Jose Lopez contingent on fingerprint results yielding no negative history with a later effective date once the fingerprint results have been confirmed

with Division staff. In addition, Jose Lopez will also have to pay the remaining \$200 application fee within two weeks of this Board meeting

**Motion:** Accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Vinay Singh

**Motion Results:** Pass

**Individual Addressing the Board:** Alexis Towey

**Discussion:** Austin Schulte applied for initial fiduciary licensure. The applicant successfully passed the fiduciary program's examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements. The applicant has also attended the fiduciary professional training.

The Division recommends the Board grant initial fiduciary licensure to Austin Schulte contingent on fingerprint results yielding no negative history with a later effective date once the fingerprint results have been confirmed with Division staff. In addition, Schulte will also have to pay the remaining \$500 application fee within two weeks of this Board meeting.

**Motion:** Accept staff's recommendation

**Motion Proposals:** First Vinay Singh  
Second Diana Corry

**Motion Results:** Pass

**Recusals:**

**Individual Addressing the Board:** Alexis Towey

**Discussion:** Amanda Sigmund applied for initial fiduciary licensure. The applicant successfully passed the fiduciary programs examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. The applicant has also attended the fiduciary professional training.

The Division recommends the Board grant initial fiduciary licensure to Amanda Sigmund contingent on fingerprint results yielding no negative history with a later effective date once the fingerprint results have been confirmed with Division staff. In addition, Amanda Sigmund will also have to pay the remaining \$500 application fee within two weeks of this Board meeting.

Deferred until next meeting.

***Individual Addressing the Board:*** Alexis Towey

***Discussion:*** Tonia Melius (“Melius”) applied for initial fiduciary licensure. The applicant successfully passed the fiduciary program’s examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. The applicant has also attended the fiduciary professional training.

The Division recommends the Board grant initial fiduciary licensure to Tonia Melius contingent on her paying the remaining \$200 application fee within two weeks of this Board’s meeting date. A later effective date of licensure will be applied once Division staff has confirmed the payment

***Motion:*** Accept staff’s recommendation

***Motion Proposals:*** First Elaine Acosta Sweet  
Second Hon. Brian Hauser

***Motion Results:*** Pass

***Individual Addressing the Board:*** Alexis Towey

***Discussion:*** David McHenry (“McHenry”) applied for initial fiduciary licensure. The applicant successfully passed the fiduciary programs examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements. The applicant has also attended the fiduciary professional training.

The Division recommends the Board grant initial fiduciary licensure to David McHenry with an effective date of June 1, 2024.

***Motion:*** Accept staff’s recommendation

***Motion Proposals:*** First Diana Corry  
Second Zora Manjenich

***Motion Results:*** Pass

***Recusals:*** Vinay Singh

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#### 4) RENEWAL LICENSURE AND APPLICATIONS

***4-A: Review, discussion, and possible action regarding the following applications for renewal of individual and/or business entity licensure:***

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1. *Navajo County Public Fiduciary*
  2. *Gregory Dovico*
  3. *Philip Dovico*
  4. *Custom Care & Financial Solutions, LLC*
  5. *Rex Hawkins*

***Individual Addressing the Board:***

Téa Bravo

***Discussion:*** The following individual license holders have submitted applications for renewal of standard licensure. The applications are complete, no information has been presented during a background review which is contrary to renewal of standard licensure being granted and the license holders have demonstrated they meet the minimum eligibility requirements for renewal of standard licensure. It is recommended renewal of standard licensure be granted to the following license holders for the 2022-2024 renewal cycle:

1. Navajo County Public Fiduciary

***Motion:*** Accept staff's recommendation

***Motion Proposals:*** First Elaine Acosta sweet  
Second Vinay Singh

***Motion Results:*** Pass

***Individual Addressing the Board:***

Téa Bravo

***Discussion:*** Gregory Dovico applied for renewal of individual fiduciary licensure. Gregory Dovico has not been renewed for the 2016-2018, 2018-2020, and 2020-2022 renewal cycles. The applications are complete, all required fees received, and no information has been presented during the background review which is contrary to renewal of standard licensure being granted. The license holder has also demonstrated they meet the minimum eligibility requirements for renewal of standard licensure.

The Division recommends approval of renewal of standard licensure be granted to Gregory Dovico for the 2016-2018, 2018-2020, 2020-2022, and 2022-2024 renewal cycles.

***Motion:*** Accept staff's recommendation

***Motion Proposals:*** First Diana Corry  
Second Zora Manjencich

***Motion Results:*** Pass

**Individual Addressing the Board:**

Téa Bravo

**Discussion:** Philip Dovico and Custom Care & Financial Solutions, LLC applied for renewal of individual and business fiduciary licensure. Philip Dovico is listed as the designated principal for Custom Care & Financial Solutions, LLC. Philip Dovico has not been renewed for the 2018-2020, and 2020-2022 renewal cycles.

The applications are complete, all required fees received, and no information has been presented during the background review which is contrary to renewal of standard licensure being granted. The license holder has also demonstrated they meet the minimum eligibility requirements for renewal of standard licensure.

The Division recommends approval of renewal of standard licensure be granted to Philip Dovico for the 2018-2020, 2020-2022, and 2022-2024 renewal cycles and Custom Care & Financial Solutions, LLC for 2020-2022 and 2022-2024 renewal cycles.

**Motion:** Accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Diana Corry

**Motion Results:** Pass

**Individual Addressing the Board:**

Téa Bravo

**Discussion:** Rex Hawkins applied for renewal of individual fiduciary licensure. Staff performed a background review. The application is complete, all required fees received, and no information has been presented during background review which is contrary to renewal of standard licensure being granted. The license holder has also demonstrated they meet the minimum eligibility requirements for renewal of licensure.

During the background investigation it did come to the Division's attention that Rex Hawkins unfortunately passed away in May 2023. The Division recommends approval of renewal of standard licensure be granted for Rex Hawkins for the 2022-2024 renewal cycle through May 31<sup>st</sup>, 2023, the month of Rex Hawkins' passing.

**Motion:** Accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Vinay Singh

**Motion Results:** Pass

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5) **ADMINISTRATIVE ITEMS**

**5-A: *Informational update: Renewal process***

***Individual Addressing the Board:***

Wil Castro

***Discussion:*** Jeanette Bloss expressed several concerns she and other licensed fiduciaries were experiencing during the renewal application process to include the functionality of the renewal portal, possible late fee issues, and the difficulty to upload application documents. In addition, Jeanette Bloss expressed concerns regarding the continuing education deadline and its conflict with the 2024-2026 fiduciary renewal application deadline.

**5-B: *Division updates***

***Individual Addressing the Board:***

Aaron Nash

***Discussion:*** Informational Updates: Rooms 109 and 106 are still in the process of being finalized with the new audio/visual equipment.

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**CALL TO THE PUBLIC**

***Individual Addressing the Board:***

**None**

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**ADJOURNMENT**

***Adjourned By*** Hon. Jennifer Perkins, Chair

***Time:*** 11:13 a.m.

***Initials:*** AO