

**The Real Property, Probate and Trust Law Section  
Executive Council Meeting  
Budapest Bar Association, Budapest, Hungary  
Sunday, April 19, 2026**

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**Agenda**

- I. [Presiding](#) – *Wm. Cary Wright, Chair*
- II. [Secretary's Report](#) - *Wilhemina Kightlinger, Secretary*
  - A. Minutes of the January 31, 2026, Executive Council meeting held at the Sunseeker Resort, Charlotte Harbor, Florida. (p. 6)
- III. [Chair's Report — Wm. Cary Wright, Chair](#)
  - A. Interim Actions of the Executive Committee
    - 1. First Step Contract: Approved website hosting and maintenance agreement.
    - 2. Amicus Brief: Approved request to seek permission to appear as amicus in *Mooney v. Colors* before the Florida Supreme Court, addressing the policies identified by the Fourth District Court of Appeal in a manner consistent with the Court's reasoning and Florida law.
    - 3. Supreme Court Workgroup on Uncontested Court Proceedings: Approved program to be offered as a no-cost Section service.
- IV. [Board of Governors Report](#) – *Paige A. Greenlee, Liaison*
- V. [Chair-Elect's Report](#) – *Jon Scuderi, Chair-Elect*
- VI. [Treasurer's Report](#) – *Angela M. Adams, Treasurer*
- VII. [Director of At-Large Members Report](#) – *Brenda B. Ezell, Director*
- VIII. [CLE Seminar Coordination Report](#) – *Michael V. Hargett (Real Property) and Nicklaus J. Curley (Probate & Trust), Co-Chairs*
- IX. [Legislation Committee Report](#) – *Lee A. Weintraub (Real Property) and S. Dresden Brunner (Probate & Trust), Co-Chairs*
- X. [General Standing Committees Report](#) – *Jon Scuderi, Chair-Elect*
- XI. [Probate and Trust Law Division Report](#) – *Sancha K. Brennan, Division Director*

**XII. Real Property Law Division Report** – *Steven H. Mezer, Division Director*

**XIII. Probate and Trust Law Division Committees** – *Sancha K. Brennan, Division Director*

1. **Ad Hoc Guardianship Law Revision** – Stacy B. Rubel, Chair; David C. Brennan, Sancha K. Brennan and Nicklaus J. Curley, Co-Vice Chairs
2. **Asset Protection** — Justin Savioli, Chair; Richard R. Gans, Patrick J. Lannon, and Bo Trudeau, Co-Vice-Chairs
3. **Attorney/Trust Officer Liaison Conference** — Eamonn W. Gunther, Chair; Stacey L. Cole, Gail G. Fagan, Michael M. Rubenstein, Kimberly Bald, Sean Lebowitz, Yoshi Smith, Co-Vice Chairs
4. **Charitable Planning and Exempt Organizations** — Alyssa R. Wan, Chair; Carla DeLoach and Jeffrey Spina-Jennings, Co-Vice-Chairs
5. **Elective Share Review** — Cristina Papanikos, Chair; Lauren Y. Detzel, Jason P. Van Lenten, and Jenna Rubin, Co-Vice-Chairs
6. **Estate and Trust Tax Planning** — Andrew H. Thompson, Chair; Denise Cazobon and Joe Percopo, Co-Vice Chairs
7. **Guardianship, Power of Attorney and Advanced Directives** — Elizabeth M. Hughes, Chair; Stephanie L. Cook, Marve Ann Alaimo, and Jeff Eisel Co- Vice Chairs
8. **IRA, Insurance and Employee Benefits** — Charles W. Callahan, III, Chair; Rebecca C. Bell and Rachel N. Barlow, Co-Vice-Chairs
9. **Liaisons with ACTEC** — Elaine M. Bucher, Tami F. Conetta, Jerome L. Wolf, Charles I. Nash, L. Howard Payne, and Diana S.C. Zeydel
10. **Liaisons with Elder Law Section** — Travis D. Finchum and Marjorie E. Wolasky
11. **Liaison with the FSGA** – Stephanie Cook
12. **Liaisons with Tax Section** — William Lane, Brian M. Malec, and Brian C. Sparks
13. **Liaison with Professional Fiduciary Council** — Darby Jones
14. **OPPG Delegate** — Nicklaus J. Curley
15. **Principal and Income** — Jolyon D. Acosta and Keith B. Braun, Co-Chairs; Susan Kubar, Vice-Chair
16. **Probate and Trust Litigation** — R. Lee McElroy, IV, Chair; Cady L. Huss, Darren M. Stotts, and Barry Spivey, Co-Vice Chairs
17. **Probate and Trust Problem Study Committee** - Sean W. Kelley, Chair; Shelly Wald Harris and David Akins, Co-Vice Chairs
18. **Probate Law and Procedure** — Theodore S. Kypreos, Chair; Benjamin F. Diamond, Stacey Prince-Troutman, J. Grier Pressley, III, and Michael Sneeringer, Co-Vice Chairs
19. **Trust Law** — M. Travis Hayes, Chair; Jennifer J. Robinson, Frederick “Ricky” Hearn, and Jolyon Acosta, Co-Vice Chairs
20. **Wills, Trusts and Estates Certification Review Course** — J. Allison Archbold, Chair; J. Eric Virgil and Alyse Reiser, Co-Vice Chairs

**XIV. Real Property Law Division Committees** – *Steven H. Mezer, Division Director*

1. **Ad Hoc 99 Year Leaseholds** — Lori E. Ward, Chair
2. **Ad Hoc Covenants Running with Land** — Robert Freedman, Chair; Jeremy Cranford, and Ellie Taft, Co-Vice Chairs

3. **Ad Hoc Fraudulent Filings** — Alan Fields, Chair
4. **Ad Hoc Redaction** — John Redding, Chair
5. **Attorney Banker Conference** — Kristopher E. Fernandez and Salome J. Zikakis, Co-Chairs; R. James “Jim” Robbins, Jr., and John Primeau Co-Vice Chairs
6. **Commercial Real Estate** — E. Ashley McRae and Alexandra D. Gable, Co-Chairs; Michael Maguire and Angelo Gasparri, Co-Vice Chairs
7. **Condominium and Planned Development Law Certification Review Course** — Alessandra Stivelman, Chair; Alan Schwartzseid and Laura Manning-Hudson Co-Vice Chairs
8. **Condominium and Planned Development** — Joel McTeague, Jennifer Bloodworth, Co-Chairs; Jordan Haynes, and Christine Ertl, Co-Vice Chairs
9. **Construction Law** — Bruce D. Partington, Chair; Jason J. Quintero, and Brett Henson, Co-Vice Chairs
10. **Construction Law Certification Review Course** -- Scott P. Pence, Chair; Jason J. Quintero and Ryan Sullivan, Co-Vice Chairs
11. **Construction Law Institute** — Trevor B. Arnold, Chair; Nikki Bhavsar, and Haley R. Maple, Co-Vice Chairs
12. **Development & Land Use** — Lisa B. Van Dien, Chair; Jin Liu and Gregg Strock, Co-Vice Chairs
13. **Insurance & Surety** — Ann Q. Pollack and Debbie S. Crockett, Co-Chairs; Allison Hertz, and Reed Grimm Co-Vice Chairs
14. **Liaisons with FLTA** — Alan K. McCall, Melissa J. Murphy, Alan B. Fields and James C. Russick
15. **Liaison with American College of Real Estate Lawyers (ACREL)** — Martin A. Schwartz and William P. Sklar, Co-Liaisons
16. **Liaison with American College of Construction Lawyers (ACCL)** — George J. Meyer
17. **Liaison with Florida Realtors** – Louis “Trey” E. Goldman, III
18. **Real Estate Certification Review Course** — Lloyd Granet, and Laura Licastro Co-Chairs; Martin S. Awerbach, and Melissa Scaletta, Co-Vice Chairs
19. **Real Estate Leasing** — Christopher A. Sajdera, and Ryan J. McConnell Co-Chairs; Terrence Harvey, and Adele Stone Co-Vice Chairs
20. **Real Property Finance & Lending** — Jason M. Ellison and Nicole M. Villarel, Co-Chairs; Jeremy T. Cranford and Klarika J. Caplano, Co-Vice Chairs
21. **Real Property Litigation** — Manuel “Manny” Farach and Amanda R. Kison, Co-Chairs; Sanjay Kurian and Lindsay Moczynski, Co-Vice Chairs
22. **Real Property Problems Study** — Susan K. Spurgeon, and Brian W. Hoffman Co-Chairs; Leonard “Len” F. Prescott, and Scott Pence, Co-Vice Chairs
23. **Residential Real Estate and Industry Liaison** — James “Jamie” A. Marx and Kristen K. Jaiven, Co-Chairs; Rebecca L.A. Wood and Erin Miller, Co-Vice Chairs
24. **Title Insurance and Title Insurance Industry Liaison** — Christopher W. Smart, Chair; Leonard F. Prescott, and Shannon Widman, Co-Vice Chairs
25. **Title Issues and Standards** — Amanda K. Hersem and Lee Offir Co-Chairs; Robert M. Graham, Cynthia Manfredi, and Melissa Scaletta, Co-Vice Chairs

**XV. General Standing Committees** — *Jon Scuderi, Chair-Elect*

1. **Ad Hoc Committee on Judgment Liens** – Brian J. Felcoski, Chair
2. **Ad Hoc Protocols** – Stacy O. Kalmanson, Chair; Colleen C. Sachs and Rachel Barlow, Co-Vice Chairs

3. **Ad Hoc Rules Revisions** – Thomas M. Karr, J. Richard Caskey, and Shawn G. Brown Co-Chairs
4. **Ad Hoc TODI (Transfer on Death Instrument f/k/a RTODD)** — Christopher W. Smart and Alan S. “Steve” Kotler, Co-Chairs; Rebecca Wood, Vice Chair
5. **Amicus Coordination** — Gerald B. Cope, Jr., Robert W. Goldman and John W. Little, III, Co-Chairs; J. Grier Pressly, III and Brian Hoffman, Co-Vice Chairs
6. **Budget** — Angela M. Adams, Chair; Tae K. Bronner, Linda S. Griffin, and Alfred J. Stashis, Jr., Co-Vice Chairs
7. **Communications** -- Michael V. Hargett, Chair; Laura K. Sundberg, Vice Chair
8. **CLE Coordination** — Nicklaus Curley and Michael V. Hargett, Co-Chairs; Robert Lancaster, Tattiana Stahl, Amanda R. Kison, Silvia B. Rojas, Christopher A. Sajdera, and John Cerneski, Co-Vice Chairs
9. **Convention Coordination** — Stacy O. Kalmanson and Tae K. Bronner, Co-Chairs
10. **Disaster and Emergency Preparedness and Response** — Colleen C. Sachs, Chair; Amy B. Beller, Michael A. Bedke, and Daniel Siegel, Co-Vice Chairs
11. **Fellows** — Bridget M. Friedman, Chair; Taniquea C. Reid, Jeanette Mora, and Julia Jennison, Co-Vice Chairs
12. **History** – Michael P. Stafford, Chair; E. Burt Burton, Jr. and Frederick W. Jones, Co-Vice Chairs
13. **Homestead Issues Study** — Jeffrey A. Baskies, Chair; Jeremy T. Cranford, E. Burt Bruton, Jr., and Shane Kelley, Co-Vice Chairs
14. **Information Technology** — Hardy L. Roberts III, Chair; Alexander B. Dobrev, Jesse B. Friedman, and Jourdan Haynes, Co-Vice Chairs
15. **In House Counsel Committee** – Lisa B. Ban Dien, Chair
16. **Law School Outreach** — Kymberlee C. Smith, Chair; Jacqueline Marzan and Sandy Boisrond, Co-Vice Chairs
17. **Legislation** — S Dresden Brunner (PT) and Lee A. Weintraub (RP), Co-Chairs; Arthur J. Menor (RP), Stacey Kalmanson (RP), Rich McIver, M. Travis Hayes (PT), Benjamin F. Diamond (PT), Stephanie Cook (PT), Co-Vice Chairs
18. **Legislative Update** — Salome J. Zikakis (RP) and Gutman Skrande (PT), Co-Chairs; Jennifer S. Tobin (RP), Terrence L. Harvey (RP), Jeffrey S. Goethe (PT), Brad Weiss (RP), and Andrew Sasso (PT), Co-Vice Chairs
19. **Liaison with:**
  - a. **American Bar Association (ABA)** — Robert S. Freedman, George J. Meyer, and Julius J. Zschau
  - b. **Business Law Section** -- Manuel Farach
  - c. **Clerks of Circuit Courts** — Zachary T. Zuroweste
  - d. **FLEA / FLSSI** — David C. Brennan and Roland D. Waller
  - e. **Florida Bankers Association** — Robert G. Stern
  - f. **Judiciary** — Ret. Judge Hugh D. Hayes, Judge Mark A. Speiser, Judge Michael Rudisill, and Judge Kenneth Gillespie
  - g. **Out of State Members** — John E. Fitzgerald, Jr. and Nicole C. Kibert Basler
  - h. **TFB Board of Governors** — Paige A. Greenlee
  - i. **TFB CLE Committee** — Nicklaus Curley and Michael V. Hargett
  - j. **TFB Council of Sections** — Wm. Cary Wright, Jon Scuderi, and Steven H. Mezer
  - k. **TFB Pro Bono Legal Services** — Lorna E. Brown-Burton
20. **Long-Range Planning** — Jon Scuderi, Chair

- 21. Meetings Planning** — George J. Meyer, Chair; Scott Pence and Tae K. Bronner, Co-Vice-Chairs
- 22. Membership** — Lawrence J. Miller, Chair; Shayla M. Johnson-Mount, Eryn E. Riconda, and Michael Sneeringer, Co-Vice Chairs
- 23. Model and Uniform Acts** — Patrick J. Duffey and Amber E. Ashton, Co-Chairs; Michael A. Bedke and Cullen I. Boggus, Co-Vice Chairs
- 24. Professionalism and Ethics** — Alexander B. Dobrev and Laura K. Sundberg, Co-Chairs; Elizabeth A. Stoops, Ret. Judge Celeste H. Muir, and Hardy Roberts, Co-Vice Chairs
- 25. Publications ActionLine** — Erin F. Finlen and Michelle G. Hinden, Co-Chairs; Alexander S. Douglas, II, Gregg I. Strock, Seth R. Kaplan, Daniel L. McDermott, Paul E. Roman, and Lisa Van Dien, Co-Vice Chairs
- 26. Publications Florida Bar Journal** — J. Allison Archbold (PT) and Homer Duvall, III (RP), Co-Chairs; Marty J. Solomon, Jonathan A. Galler, Jack A. Falk, and Eryn E. Riconda, Co-Vice Chairs
- 27. Sponsor Coordination** — Rebecca C. Bell, Chair; Marsha G. Madorsky, J. Michael Swaine, Cullen I. Boggus, Silvia B. Rojas, and Chris Smart, Co-Vice Chairs
- 28. Strategic Planning Implementation** — Robert S. Freedman, William T. Hennessey, III, Robert S. Swaine, Sarah S. Butters, and John Moran, Co-Chairs

**XVI. [New Business](#)**

**XVII. [Adjourn](#)**

Motion to Adjourn.

**The Real Property, Probate and Trust Law Section  
Minutes of the Executive Council Meeting  
Sunseeker Resort, Charlotte Harbor, Florida  
Saturday, January 31st, 2026**

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**I. Presiding – *Wm. Cary Wright, Chair***

The Chair called the meeting to order at approximately 9:45 a.m.

**II. Secretary's Report – *Wilhelmina Kightlinger, Secretary***

1. Secretary, Wilhelmina Kightlinger, presented the Minutes of the December 6, 2025, meeting of the Executive Council held at The Four Seasons, Orlando, FL for approval. A motion to approve those Minutes was made and seconded. The motion passed unanimously.

2. The Executive Council Attendance Roster for 2025-2026 was circulated.

a. The Secretary reminded Council members of the attendance requirements in the Section's Bylaws, i.e.,:

RPPTL Section Bylaws, Article V, Section 4 states in relevant part, “. . . if any past section chair is absent from 10 consecutive in-state executive council meetings, or if any other member of the executive council fails to attend at least 2 in-state executive council meetings in-person in any membership year, the member is deemed to have resigned from the executive council, and any section office or position held by that person is deemed vacant.”

b. The Secretary also asked Executive Council members to please review the Attendance Roster and either make a note of any corrections on the Roster or send an e-mail message identifying requested corrections.

3. The Secretary presented the minutes for the Interim Executive Committee Meetings held December 19, 2025, and January 13, 2026.

**III. Chair's Report — *Wm. Cary Wright, Chair***

1. The Chair recognized the following special guests:

Florida Bar candidates:

Jeff Rynor thanked the Section and its members for their hard work on behalf of Florida citizens and discussed his platform and what the Florida Bar can do to help practitioners with hacking and other fraudulent activity.

Paige Greenlee thanked the Section and its members for their service and discussed her background and platform focusing on professionalism and ethics.

2. The Chair recognized and thanked the Section's Platinum, Gold, and Silver Sponsors, as well as the Section's App Sponsor. During the course of the meeting, the Chair invited the following Sponsor representatives to briefly address the Council:

Shannon Widman - The Fund  
Todd Jones - Real Advice  
Amber Ashton - Old Republic Title  
Joe Tschida – WFG National Title Insurance  
Gary Marshall - Stout Risius Ross Inc.  
Richard DeNapoli - Coral Gables Trust  
Carlos Batlle – JP Morgan  
Cynthia Manfredi - FNF Family of Companies  
Laura Licastro - Westcor Land Title Insurance Company  
Ashley McRae – Stewart Title Guaranty Company  
Lee Offir - Title Resources  
John Celmer – Leap Legal Software  
Travis Finchum - Guardian Trust  
Len Prescott – First American Title

3. Milestones:

- a. Marve Alaimo, Stephanie Cook, Katherine Frazier, and Peggy Rolando were recognized in the November 2025 Florida Trend Magazine as Legal Elite Notable Women Leaders in Law, honoring their professional excellence and leadership within the legal community and the Section.
- b. Judge Amanda Arnold Sansone was announced as the recipient of the 2026 Distinguished Federal Judicial Service Pro Bono Award honoring her exceptional commitment to pro bono legal service and leadership within the legal community.
- c. Zach Zuroweste was elected to the Florida Bar Board of Governors – 6<sup>th</sup> Circuit

4. The Chair reported the following Interim Actions of the Executive Committee:

- a. Conforming Legislative Positions for SB120 and SB116 that were passed in December at The Four Seasons.

5. The Chair reviewed the Executive Council Meeting schedule for the 2025-2026 year.

6. General Comments of the Chair –

Cary asked John Moran to come to the stage and presented him with framed presentations of each of his meeting brochures which the Council recognized with a round of thunderous applause.

**IV. Board of Governors Report – Paige A. Greenlee, Liaison**

Paige Greenlee updated the Council on the actions taken by the Florida Bar Board of Governors since the last Executive Council meeting and encouraged members to apply for Florida Bar Committees. Ms. Greenlee reminded the Council about the upcoming Bar election and encouraged members to vote.

**V. Chair-Elect's Report – Jon Scuderi, Chair-Elect**

The Chair-Elect, Jon Scuderi, reminded committee chairs to post committee meeting agendas to their webpage and to email them to Hilary to add to the meeting app.

The Chair-Elect reviewed the 2026-2027 Executive Council Meeting Schedule and noted registration is open for the Out-of-State meeting to Alaska.

**VI. Treasurer's Report – Angela M. Adams, Treasurer**

The Treasurer, Angela Adams, reported on the Statements of Financial Condition through December 31, 2025, in the Agenda package. Angela explained that allocations for the out-of-state trip have been pulled from the general budget and will show in the out-of-state meeting item in the next set of financial statements.

The cost to provide for Zoom attendance at this meeting was \$492.08.

**VII. Director of At-Large Members Report – Brenda B. Ezell, Director**

The Director, Brenda Ezell, reported on applications for nominations and re-nomination of ALMs and submission to Long Range Planning and invited ALMs committee chairs to present to the Council on their activities:

Silvia Rojas reported on the activities of the ALMs Law School Enrichment Committee which supports the Section's Law School Outreach Committee. She also reported on External Communications and Website ALMs committee work on updating the Section's website and the committee webpages.

Richard Warner reported on the activities of the ALMs Undergraduate Shadowing the Law Committee, which is a dynamic, out-of-the box committee to mentor

undergraduates who are interested in opportunities in the practice of law.

**VIII. CLE Seminar Coordination Report – Michael V. Hargett (Real Property) and Nicklaus J. Curley (Probate & Trust), Co-Chairs**

Nick Curley, CLE Co-Chair (PT), noted the schedule of upcoming CLE programs in the Agenda and highlighted the “Basic 101” Series of CLEs on both the Probate and Real Property sides. He informed the Council of upcoming CLE programs in response to request from the Florida Supreme Court.

Mike Hargett, CLE Co-Chair (RP), informed the Council regarding an upcoming CLE program regarding potential liability of a practitioner for compliance with the FinCEN rule that will be effective March 1, 2026.

**IX. Legislation Committee Report – Lee A. Weintraub (Real Property) and S. Dresden Brunner (Probate & Trust), Co-Chairs**

Dresden Brunner, Legislation Committee Co-Chair (PT), noted that the Legislative session is underway and thanked members for their response and assistance to requests for technical advice from Legislative members and proposed bills.

**X. General Standing Committees Report – Jon Scuderi, Chair-Elect**

The Chair-Elect solicited the Council for assistance for the History Committee.

*Action Items:*

None

*Information Items:*

- A. **Fellows Committee** – Bridget M. Friedman, Chair, Taniquea C. Reid, Jeanette Mora, and Julia Jennison, Co-Vice Chairs

Bridget informed the Council regarding actions that Fellows Committee is taking to encourage applications and asked for assistance from the Section’s Committee Chairs and ALMs to send notifications when the applications are available.

- B. **Information Technology Committee** – Hardy L. Roberts III, Chair; Alexander B. Dobrev, Jesse B. Friedman, and Jourdan Haynes, Co-Vice Chairs

Jesse Friedman reported that the Committee received approval from the Bar to bid out for the new website and list serve which was enthusiastically received by the Council.

- C. **Law School Outreach Committee** – Kymberlee C. Smith, Chair; Jacqueline Marzan and Sandy Boisrond, Co-Vice Chairs

Raul Ballaga reported on the activities of the Law School Outreach Committee and asked the members of the Council to volunteer for its mentorship program and to speak at programs held by the Committee at Law Schools.

- D. **Membership Committee** – Lawrence J. Miller, Chair, Shayla M. Johnson-Mount, Eryn E. Riconda, and Michael Sneeringer, Co-Vice Chairs

Larry Miller informed the Council on the success of the inaugural RPPTL Connect program at the Executive Council meeting at The Four Seasons meeting in Orlando. He also asked for speakers for an upcoming webinar program for solo and small firm practices.

- E. **Convention Coordination Committee** – Stacy O. Kalmanson and Tae K. Bronner, Co-Chairs

Stacy Kalmanson and Tae Bronner presented the Chair with a Turtle Patrol t-shirt. They gave an excellent and informative presentation on the hotel, seminar, and activities for the upcoming Convention at the Ponte Vedra Inn. They noted that meeting room space is limited and encouraged Council members to visit the exhibitor tables at the Convention.

- F. **Liaison with the Clerk of Circuit Court** – Zachary T. Zuroweste

Zach offered assistance if needed during this busy Legislative Session and noted that he is dead last in the Executive Council Directory.

**XI. Probate and Trust Law Division Report** – *Sancha K. Brennan, Division Director*

*Action Items:*

Bob Swaine moved to waive Article VIII, Section 4(a) of the Bylaws of the Real Property, Probate and Trust Law Section, to consider committee motions to support legislation to address bills that have been filed during the current Legislative Session. Motion seconded by Steve Mezer.

There was no discussion on the motion which was approved unanimously.

- A. Probate Law Committee -

1. Committee Motion to:

- a. Support legislation to improve the efficiency and effectiveness of uncontested probate proceedings as recommended by the Workgroup on Uncontested Probate Proceedings, including SB 1500/HB 1337 (2026).
- b. Find that such proposal is within the purview of the RPPTL Section;
- c. authorize transmittal of the proposed legislation to The Florida Bar Board of Governors with a request for the Board's approval; and
- d. authorize the expenditure of funds from the Section's budget necessary to effectuate the same.

Being a committee motion, it needs no second. Motion passed with no objection.

2. Committee Motion to:

- a. Oppose legislation that permits a person convicted of a felony to serve as a personal representative, unless the legislation includes adequate safeguards (such as formal notice to interested persons) and requires the court, in its discretion, to consider certain factors such as: a) whether the proposed personal representative is a family member; b) nature of the felony; c) whether the person's rights have been restored; d) amount of time since the conviction; e) whether the right to vote has been restored; and f) whether the person was nominated in the will, and g) whether the decedent was a victim of the felony.
- b. find that such proposal is within the purview of the RPPTL Section;
- c. authorize transmittal of the proposed legislation to The Florida Bar Board of Governors with a request for the Board's approval; and
- d. authorize the expenditure of funds from the Section's budget necessary to effectuate the same.

Bill Hennessey moved to amend the motion to remove the duplicate "and" after (f). Motion was seconded by Steve Mezer and passed without objection.

Being a committee motion, it needs no second. There was no discussion, and the motion as amended passed without objection.

B. Guardianship, Power of Attorney and Advanced Directives Committee

1. Committee Motion to:

- a. Oppose legislation that allows a person who has been convicted of a felony to serve as a court appointed guardian, unless there

are adequate restrictions and safeguards included to ensure the safety of the (i) the ward, and (ii) the assets of the ward. The Section specifically opposes changes to Florida Statutes Sections 744.309 and 744.474 which would permit a convicted felon to serve as a guardian unless adequate restrictions and safeguards, which need to be significant in nature, are incorporated into the proposed legislation. In the case of a guardianship, oppose any legislation that reduces the protection of the ward and/or the ward's assets, so long as the guardian has a familial relationship with the ward.

Friendly amendment offered by Stephanie Cook, seconded by Stacy Troutman, to revise Paragraph a. above to read as follows:

- a. Oppose any legislation that allows a person who has been convicted of a felony to serve as a court appointed guardian unless the person has a significant family relationship with the ward and there are adequate restrictions and safeguards to ensure the safety of the ward and the adequate protection of the assets of the ward.

There was no discussion. The motion for the friendly amendment passed without objection.

- b. find that such proposal is within the purview of the RPPTL Section;
- c. authorize transmittal of the proposed legislation to The Florida Bar Board of Governors with a request for the Board's approval; and
- d. authorize the expenditure of funds from the Section's budget necessary to effectuate the same.

C. Charitable Planning and Exempt Organizations Committee:

1. Committee motion to:

- a. Oppose proposed legislation, including without limitation HB 1475/SB 1338 (2026), that would:
  - (i) grant a donor or a legal representative of the donor standing to enforce a restriction contained in a written gift agreement where such right or standing was not reserved by the donor in a written gift agreement with a charitable organization,
  - (ii) prohibit the refund of all or a portion of a gift to the donor, the donor's estate or the donor's legal

- representative where the donor reserved the right to a refund in a written gift agreement,
- (iii) limit or remove a Florida community foundation's right to vary a restriction on its funds, or
  - (iv) require a charitable organization to notify the donor or the donor's legal representative after it discovers that it is unable to fulfill the terms of the agreement and offer an alternative solution,
- unless safeguards are put in place to protect existing contract rights of donors and charitable organizations, protect the charitable organization's ability to voluntarily provide a refund of donated funds, allow the donor to waive application of the law in whole or in part, protect the variance rights of Florida community foundations, provide charitable organizations with at least 90 days, or such time as may be reasonable under the relevant circumstances, to notify donors if the charitable organization determines, as evidenced by the date of the board of directors meeting minutes, that it is unable to fulfill the terms of a written gift agreement and to offer a solution to the donor, and address potential conflicts with other existing Florida Statutes;

Friendly amendment offered by Stacey Prince-Troutman, seconded by Gail Fagan to revise Paragraph a. above to read as follows:

- a. Oppose proposed legislation, including without limitation HB 1475/SB 1338 (2026), that would alter or impair existing contract rights of donors or charitable organizations, limit or restrict a Florida community foundation's variance powers, or impose any new notification requirements on charitable organizations, unless safeguards are put in place which may include to protect existing contract rights of donors and charitable organizations, protect the charitable organization's ability to voluntarily provide a refund of donated funds, allow the donor to waive application of the law in whole or in part, protect the variance rights of Florida community foundations, provide charitable organizations with reasonable time under the relevant circumstances to notify donors if the charitable organization determines, as evidenced by the date of the board of directors meeting minutes, that it is unable to fulfill the terms of a written gift agreement and to offer a solution to the donor, and address potential conflicts with other existing Florida Statutes;

There was no discussion. The motion for the friendly amendment passed with one opposed.

- b. find that such proposal is within the purview of the RPPTL Section;
- c. authorize transmittal of the proposed legislation to The Florida Bar Board of Governors with a request for the Board's approval; and
- d. authorize the expenditure of funds from the Section's budget necessary to effectuate the same.

Being a committee motion, no second is needed. After no discussion, the motion as amended passed with one opposed.

*Information Items:*

None

**XII. Real Property Law Division Report – Steven H. Mezer, Division Director**

Jon Moran moved to waive Article VIII, Section 4(a) of the Bylaws of the Real Property, Probate and Trust Law Section, to consider Real Property Division Committee motions as set forth in the Agenda. Motion seconded by Len Prescott.

There was no discussion on the motion which was approved unanimously.

*Action Item:*

**A. Florida Realtor-Attorney Joint Committee – Colleen Sachs and Lori Ward, Co-Chairs**

- 1. Lori Ward reviewed the proposed amendments to FR-Bar Contract Forms approved by the Florida Realtor/Attorney Joint Committee (the "Committee"):
  - a. *Paragraph 18, Standard I(iii)*: Previously, this subsection dealt with the FinCEN Geographic Targeting Orders and the buyer's agreement to comply with Closing Agent requests to produce documents and information necessary to allow for compliance with the GTOs. In anticipation of the GTOs being replaced by the Residential Real Estate Reporting Rule (the "RE Rule") on March 1, 2026, the Committee has revised this language to address both parties' obligation to comply with Closing Agent requests related to the RE Rule. The Committee closely followed the language recommended by ALTA for this purpose.

- b. *Rider EE. PACE*: A statutory change requires changes to this rider. Property Assessed Clean Energy (PACE) programs are now referred to as “qualifying improvements.” References to energy efficiency, renewable energy, and wind resistance have been removed.

2. Committee Motion to:

- a. support proposed revisions to Paragraph 18, Standard I(iii) in both the standard and AS-IS versions of the FR-Bar Residential Contract for Sale and Purchase forms as presented to the Executive Council at its meeting on December 6, 2025, for release and publication on March 1, 2026, with the caveat that the Joint Committee is authorized to withhold the revisions to Paragraph 18, Standard I(iii) from such publication until such time, if at all, the FinCEN Residential Real Estate Reporting Rule takes effect, without further action by the Council or The Florida Bar;
- b. find that such proposal is within the purview of the RPPTL Section;
- c. Authorize transmittal of the proposal to The Florida Bar Board of Governors with a request for the Board’s approval; and
- d. authorized the expenditure of funds from the Section’s budget necessary to effectuate the same.

Being a committee motion, it needs no second. After no discussion, the motion passed without objection.

3. Committee Motion to:

- a. support proposed revisions to Rider EE, as presented to the Executive Council at its meeting on December 6, 2025, for release and publication on March 1, 2026.
- b. find that such proposal is within the purview of the RPPTL Section;
- c. Authorize transmittal of the proposal to The Florida Bar Board of Governors with a request for the Board’s approval; and
- d. Authorize the expenditure of funds from the Section’s budget necessary to effectuate the same.

Being a committee motion, it needs no second. After no discussion, the motion passed without objection.

**B. Condominium and Planned Development Committee – Joel McTeague, Jennifer Bloodworth, Co-Chairs; Jordan Haynes, and Christine Ertl, Co-Vice Chairs**

1. Committee Motion to:
  - a. oppose any legislation imposing mandatory, universal “Kaufman Language” on community associations subject to Chapters 718, 719, or 720, Florida Statutes; opposing any legislation requiring such community associations to amend their governing documents to adopt universal “Kaufman Language”; and opposing any legislation requiring the governing documents of newly created community associations subject to Chapters 718, 719, or 720, Florida Statutes to contain universal “Kaufman Language” as a condition of approval;
  - b. find that such proposal is within the purview of the RPPTL Section;
  - c. authorize transmittal of the proposal to The Florida Bar Board of Governors with a request for the Board’s approval; and
  - d. authorize the expenditure of funds from the Section’s budget necessary to effectuate the same.

Being a committee motion, it needs no second. After no discussion, the motion passed without objection.

*Information Items:*

NONE

**XIII. New Business** - None

**XIV. Adjourn**

Meeting adjourned at approximately 12:10 pm

Respectfully submitted by:

*Wilhelmina F. Kightlinger*

Secretary, RPPTL Section