

# THE CYBA NEWS

April - May 2010

The California Yacht Brokers Association Newsletter

## CYBA Board on the Move

The California Yacht Broker's Association Board of Directors traveled to San Diego on Thursday April 29th to participate with the ever growing San Diego Broker's Forum that is held each month at Fiddler's Green Restaurant on Shelter Island. The forum was hosted by Craig Stange of PCE Diesel. The 1st Vice President of the CYBA Miquel Corelli provided the attendees with an update on several items involving the CYBA, the main topic was the new Affiliate Sponsorship Program the CYBA

has been working very hard on which will provide direct benefits to the Affiliate and further increase the membership of the CYBA. The forum was well attended by about 80 guests from all walks of our industry which included Yacht Sales, Marina Managers, Boat Yards, Marine Lenders, Marine Insurance, and representatives from various trade publications.

The forum closed with a number of excellent door prizes and during the forum we had a great lunch thanks the owner of Fid-

dlers Green; Steve Rock and his wonderful staff. The Board convened after the forum to go into their regular Board Meeting, as always the Board Meetings are open to any member or guest and the Board encourages your attendance and input.

For further information regarding the San Diego Broker's Forum please contact Jim Johnson at Chuck Hovey Yachts 619-222-0626 or jim@chuckhoveyyachts.com.

## Florida News

The Boat Sales Tax Cap has passed the Florida State Legislature as part of the larger Jobs for Florida Bill, CS/SB-1752, early this morning, Friday, April 30, 2010 – the last day of the Legislature's current session. The bill now moves on to Governor Charlie Crist for his signature. Gov. Crist will have seven days from the time he receives the bill to sign it into law, which would take effect on July 1, 2010.

"The \$18,000 Boat Sales Tax Cap has achieved a major milestone by passing both the Florida State House and Senate. Now it's all up to the Governor," said Jeff Erdmann, President of Bollman Yachts of Fort Lauderdale and a

member of the Florida Yacht Brokers Association (FYBA) Legislative Committee, which has been spearheading efforts, along with the Marine Industries of South Florida (MIASF) Government Relations Committee, to pass this landmark legislation.

"We're almost there," said Cromwell Littlejohn, President of FYBA. "We want to thank all those who heeded our Call to Action and wrote their State Legislators in support of this measure. Your efforts have paid off. Now we ask you to continue the push by writing Governor Crist urging him to sign the Jobs for Florida Bill into law."

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# from the PRESIDENT

First and foremost, I would like take this opportunity to invite all CYBA members and their associates to the annual Southern California Legal Seminar to be held on June 2nd in beautiful San Diego. There is an application in the newsletter or you can reserve a spot online at the CYBA website. Don't miss this opportunity for great information and advice from a diverse group of professionals.

Recently, Yachtworld has announced a change in policy that I believe will actually benefit our industry. Effective 09/01/10, all subscribers to Yacht World will have to have a minimum of 50% of its Listing available for Co-op. This will make it difficult for the repossession/liquidation companies to advertise on Yacht World. It will also make valuable inventory more available to the Yacht Sales Professional. We as professionals owe it to our clients to take advantage of every opportunity when trying to sell our listings. Embrace the concept and watch your sales increase.

One of the other real challenges we have in our current economic climate is how to assist our sellers in pricing their boats. Remember it is your responsibility to instruct and guide. Many times your sellers are underwater

in the loan to value department. Be aware that lending institutions don't want the boat back and will many times negotiate with the seller. If you encounter this roadblock, have your seller contact their lender and see what sort of assistance the lender can suggest.

As the summer approaches, the industry seems to be improving. The spring boat shows report better attendance and increased buyer interest. Now is the time to really concentrate on those valuable leads that the shows generate. As we emerge from the winter downtime, remember that the scam artists are really active. I personally receive eight to ten scam offers daily. Each one seems to have a unique twist to tempt the unsuspecting salesperson. Please be aware and when in doubt, don't be afraid to contact any of the CYBA Board members for assistance.

Once again, Good Luck in the upcoming selling season. This is the time when all your hard work will payoff. Don't forget the Legal Seminar, you cannot find a better value for the Yacht Sales Professional. I hope to see all in San Diego.

Tom Trainor  
President

## GET YOUR MESSAGE OUT THERE!

Advertise in the CYBA newsletter. For More Information or Rates  
Contact Bob Gorman @ 800-875-2922.

**Attention all interested Yacht Brokers  
and Salespersons:**

**CERTIFIED PROFESSIONAL  
YACHT BROKER (CPYB)  
DISCUSSION SESSION  
AND TESTING**

**TUESDAY, JUNE 1ST 2010.**

**Fiddler's Green Restaurant  
2760 Shelter Is Dr., San Diego, CA 92106  
11:00 AM - 3:00 PM**

The CYBA is conducting a discussion session, immediately followed by the examination, for all those interested in becoming Certified Professional Yacht Brokers or Salespeople. This will be our second available session, in response to the great interest in this worthy program.

If you have a desire to take your business and personal accomplishment up to the next level, you owe it to yourself and your clients to earn the CPYB designation. Join a growing number of the best and brightest brokers nationwide in increasing your knowledge, professionalism, and ethical standards as they relate to your chosen profession.

For complete information, including study materials, applications, and required qualifications, please visit the National Yacht Broker Certification website at [www.cpyb.net](http://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:

Lon Bubeck, CPYB  
Flying Cloud Yachts  
Long Beach  
562 594-9716

Nick Friedman, CPYB  
San Pedro Yachts  
San Pedro  
310 748-5409

Dick Angel, CPYB  
Marnine Max  
Oakland  
510 535-6160

Time is of the essence if you plan on attending this session. The National Yacht Broker Certification office needs time to process your application and to perform your background check.

**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 @ 800-875-2922.**

**Attention all interested  
Yacht Brokers and Salespersons:**

**CERTIFIED  
PROFESSIONAL  
YACHT BROKER (CPYB)**



**~ STUDY SESSION AND TESTING ~**

**Contact Lon Bubeck, Nick Friedman  
or Dick Angel for next  
study session & exam.**

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.

If you have a desire to take your business and personal accomplishment up to the next level, you owe it to yourself and your clients to earn the CPYB designation. Join a growing number of the best and brightest brokers nationwide in increasing your knowledge, professionalism, and ethical standards as they relate to your chosen profession.

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Dick Angel  
MarineMax of California  
510-535-6160  
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You may also respond to [cpyb@cyba.info](mailto: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 @ 800-875-2922.**

The FYBA Board of Directors wishes to congratulate Florida Representatives Tom Grady and Ellen Setnor Bogdanoff, Senators Joe Negron and Don Gaetz, and their colleagues for their leadership and support of this legislation and Florida's vital boating industry.

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## ***CYBA has a Winning Industry Affiliate and Membership Program for 2010***

The California Yacht Brokers Association is currently recruiting new Sales and Yacht Broker members as well as new Industry Affiliate members. The CYBA provides unity and a central organization for the State's yacht brokers.

Most yacht brokers within California use the well established CYBA sales transactions forms. For years, these forms have been developed and continually updated to standardize the process and protect the interests of both buyers and sellers, alike. These forms are now web-based to improve the efficiency of the broker and sales process.

The CYBA also offers to its members an arbitration council to help resolve any transactional conflicts in a quick and economical way for all parties. During the year educational programs are offered such as bi-annual Law Seminars, professional certification programs and ongoing member support.

The new membership drive program is multifaceted and begins and ends with the industry affiliates. Many industries surround the sale and ownership of pleasure vessels in California and much of their business comes from their relationship with, and referrals from, yacht brokers and their salespeople.

The CYBA provides the industry tradesperson a large group of successful yacht brokers and salespeople with which to network. By joining as a CYBA Affiliate member, the affiliate company and their representatives gain access to many marketing avenues as well as business and social gatherings throughout the year.

By joining now, the new affiliate member can participate in a new program that will drive business to their company. This program provides valuable Discount Activation Certificates to new CYBA Yacht Sales Members, who will give them to their yacht owning and purchasing clients. The Yacht owners can use these certificates at any of the participating CYBA Industry Affiliates for unique discounts of their products and services. As the program progresses during the year all parties are Winners.

WIN- CYBA becomes a stronger and more productive organization and resource for the Yachting Industry.

WIN- Sales brokers joining will have access to the many benefits of the CYBA, plus the opportunity to provide valuable Discount Activation Certificates to their clients.

WIN- Yacht owners and clients will get special discounts at leading industry professionals around the State that can help with the purchase or improvement of their vessel.

WIN- Participating CYBA affiliates supporting the CYBA will increase their volume of business and make lasting connections with more sales brokers and yacht owners.

If you are looking to increase your business with Yacht owners and Sales brokers in your area and around the State, consider joining the California Yacht Brokers Association right now and create your own economic stimulus package.

Contact any of the CYBA Board of Director Members or go to [www.CYBA.info](http://www.CYBA.info) for more information and start building your business today.

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## ***National Marine Bankers Association Legislative Alert***

While NMBA supports the concept that some financial reform is needed to help prevent another financial meltdown like the one we recently experienced, The Financial Reform Bill currently moving through Congress has serious problems that will result in reduced credit availability for marine loans, onerous disclosure requirements and heavy handed government regulation of marine dealers and marine finance service companies. The following is a summary of some of the problems with the bill:

Eliminates Federal pre-emption of state law with respect to consumer loan transactions which has been in effect for over 150 years. This will make it costly and burdensome for large national lenders to make marine loans across many states and will result in fewer choices and higher interest rates for marine loan borrowers.

Marine dealers and marine finance service companies will be responsible for Fair Lending laws for the first time and will be required to disclose to borrowers the fees they are paid by lenders for the loans.

The Federal government will regulate how large a fee marine dealers and marine finance service companies will be allowed to earn on marine loans.

Prepayment penalties are treated as an abusive practice and will not be allowed, which will eliminate many loan programs that depend on them economically and that result in lower interest rates for the marine borrower.

You need to contact your senator now to voice your concerns about this bill. If passed in its present form, it will change the marine lending business for the worse like never before! [www.senate.gov](http://www.senate.gov).



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## SUCCESS

Success! A magical word indeed, but what exactly is it? A one-time thing, like hitting a home run, scoring a touchdown, or winning a game? Is it a destination? Or a journey? Is there a fixed, clearly marked place called "Success?" or does it vary from individual to individual?

Does success mean achievement, or fame, or power or wealth? Who decides when one has become "successful?" Can it be self-conferred? Is it, like beauty, in the eye of the beholder? Can we objectively define it? Or is it a relative thing? Can two people have nearly identical track records and yet one be seen as successful and the other to have failed?

Is success a specific target to aim at, like making a million dollars or becoming the CEO of a large corporation? Can it be clearly seen by everyone?

Down through the ages, thousands of people have asked similar questions, and thousands more have suggested answers. For example, for the famous Greek philosopher Aristotle (384-322 B.C.), it was a life of service. Two centuries earlier, the Chinese philosopher Confucius (551-479 B.C.) declared that the key to success was preparation. For 18th century Anglo-Irish poet Oliver Goldsmith, success meant "getting up just one more time than you fall." And Benjamin Franklin advised that success required "jumping quickly at opportunities."

You are the master of your own destiny – you determine what success means to you.



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**A COMPANY IN MOTION**

## Editor's Notes

Spring has Sprung and as we move into what is typically our best time in this industry, we need to stay diligent in our focus. Your financial and business success has little to do with "the economy", and a lot to do with your beliefs, expectations and consciousness. I see this personal economic consciousness reflected everyday at the boat yards and in speaking with lenders and other sales people in our industry. When people talk about "the economy," the term is highly subjective and generally deceptive. Although authorities cite statistics that identify "the way it is," it is not that way for everyone. We are all living in our own personal economy and creating results unique to our own consciousness. There are always people who thrive in a bad economy and people who flounder in a sound economy. Individual consciousness determines results far more than does the external economy – or what other's perception of an economy are.

If you wish to thrive in any economy, pay less attention to statistics and more attention to your thoughts and beliefs. Remember that we live in an abundant society in which prosperity is available to those willing to tap into it, and you can be the Top Producer in your industry – you just have to focus on what is important to get you to that level.

On another note, the CYBA is very excited about hosting the upcoming "Yacht Sales & the Law XIII" seminar on June 02, 2010 in San Diego at the new Southwestern Yacht Club facility. This will be the first such seminar to be held in San Diego and we anticipate a great turnout. The sign-up form is contained in this newsletter or you can contact any Board Member for further information. This is a great opportunity to improve your working knowledge of laws, regulations and changes that will affect how you conduct your day-to-day business. I encourage each of you to strongly consider setting aside June 02, as a day of self-improvement to better master the skills needed in your chosen profession.

The Certified Professional Yacht Broker examine will also be held in San Diego at Fiddler's Green Restaurant on June 01, 2010 from 11:00 am – 3:00 pm. If you truly have the desire to provide the best possible service to your clients, this is a very valuable tool that the CYBA, through our partnership with the CPYB Program, is making available to you. I can assure you of this – no matter how much you think you know or how long you have been in this industry, taking and passing this test will demonstrate a wealth of knowledge that will serve you, your clients, and your industry for years to come. It will also benefit you when working with brokerages in other states that recognize this Certification Program. I

*(cont. on next page)*

**Visit Our Website  
[www.cyba.info](http://www.cyba.info)**

**Editor's Notes...** (cont. from pg. 6)

should also point out to those of you who are already CPYB Certified that attending the Law Seminar provides credits towards maintaining your certification. We look forward to seeing a great turnout at both events, which will not only benefit the time and travel requirements of the San Diego brokerage community, but will reassure the CYBA Board that San Diego is indeed the robust, supportive environment for future CYBA events.

The section "ALONG THE WATERFRONT" in the newsletter is getting great response, so remember this is an effective way for your company to get the word out on changes at your office - whether it be new personnel, a new product-line, or maybe a new or relocation of your office. All these events and others are news worthy and I hope you will take a moment to submit

(cont. on page 12)

**May 2010 Proposed New Members**

**Frederic Brown - A Team Yacht & Ship  
Active Master Membership  
Sponsored by: Jerry Reeck and Jim Johnson**

**Ray Prokorym - Ocean Alexander California  
Active Master Membership  
Sponsored by: Rudy Dettwyler and Chuck Hovey**

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# **CYBA Board Meeting • 4/29/10**

VENUE: Fiddlers on the Green, San Diego, Ca.

CALL TO ORDER: 1st Vice President, Miquel Corelli called the meeting to order at no time.

## **ATTENDING DIRECTORS:**

Miquel Corelli, 1st Vice President  
Dick Angel, 2nd Vice President, Secretary  
Terie Salinas, Secretary  
Dean A. West, Director  
James H. Johnson, Director  
Nick Friedman, Director  
Jack Buckley, Past President  
Marc Bay, Director

## **ALSO IN ATTENDANCE:**

Bob Gorman, Executive Director  
Bob Leslie, Past President  
Morrie Kirk, Past President

## **ABSENT:**

Tom Trainor, President

## **GUESTS:**

Gina Ebling, Department of Boating and Waterways

PRESENTATIONS: None.

MINUTES: The Minutes of the meeting of April 7th, 2010 were tabled.

FINANCIAL: Bob Gorman  
None.

LEGAL & IYC: Tom Russell  
None.

## **CORRESPONDENCE:**

Letter was submitted to CYBA from Yacht Council regarding their intention to move forward and to start marketing to general public, evaluating possible solution to enhance their grow over the next 12 months.

Department of Boating and Waterways has noted the activity of Brokers from out of state not licensed in the State of California and is currently reviewing possible solutions to address this matter.

ARBITRATION: Dennis Moran  
None.

LEGISLATION: Dick Angel, Bob Leslie, & Tom Trainor

**GET YOUR MESSAGE OUT THERE!**

**Advertise in the CYBA newsletter.**

**For More Information or Rates**

**Contact Bob Gorman @ 800-875-2922.**

Bill Krauss to set-up possible meeting in Sacramento with Department of Boating and Waterways and the Resource Agency, meeting tabled.

CYBA board member purposed that Bob Leslie attend legislation meetings in Sacramento and his expenses to be reimbursed by the CYBA association.

Motion moved to accept by Dean West and second by Nick Friedman, motion carried.

CYBA board members purposed extending a dinner invitation, presentation of a Plaque and letter signed by all board members to the past DBW Director Ray Tsuneyoshi, dinner to be held the evening of the Law Review. Motion moved to accept by Dick Angel and second by Marc Bay, motion carried.

SOCIAL/PUBLICITY: Guy Newmark  
None.

MEMBERSHIP/SPONSORSHIP COMMITTEE: Jack Buckley, Terie Salinas, Dick Angel, Dean West, Miquel Corelli, Bob Gorman, Anita Mays

Committee Chairman Jack Buckley introduced the packets to be given to prospective affiliate sponsors and the assignments of all affiliate names were distributed among the board members.

FORMS COMMITTEE: Nick Friedman, Marc Bay, Miquel Corelli, Dick Angel & Bob Gorman

Committee Chairman, Nick Friedman reported that several forms are under review with the guidance from Tom Russell, the possible forms under review are:

- 1) Wavier Form regarding sea trial and boat coverage
- 2) Operating clients boats during a sea trial
- 3) Broker to Broker agreement
- 4) Broker to Associate Broker agreement

ETHICS AND BYLAWS COMMITTEE: Dean West  
No Report.

INTERNET AND MEDIA: Lon Bubeck, Jack Buckley  
Committee Chairman, Jack Buckley- reported every page of the web site has been reviewed and noted. Updates are noted and in the process of being updated.

NEWSLETTER: Jim Johnson  
Committee Chairman, Jim Johnson- reported all new information must be submitted by Tuesday May 4th to make this month's newsletter deadline.

CPYB/CAC: Lon Bubeck, Nick Freidman, and Dick  
*(cont. on page 9)*



## **CYBA Board Meeting...** (cont. from pg. 8)

Angel

CPYB exam date is set for June 1, 2010; an announcement will be sent via an email blast with constant contact and posted on the CYBA web site, location to be at Fiddlers Green Restaurant in San Diego.

**LEGAL SEMINAR:** Wayne Rodgers  
Date and location confirmed: Law Review Seminar to be held at Southwestern Yacht Club in San Diego on June 2, 2010.

**COMMUNITY OUTREACH:** Marc Bay  
Committee Chairman, Marc Bay – reported April with Fraser Yacht Insurance Services has joined the walk.

**SPEAKER FORUM COMMITTEE:** Terie Salinas, Jack Buckley, Dean West. Miquel Corelli  
No Report.

**BOARD MANUALS:** Jack Buckley, Miquel Corelli, Terie Salinas, Marc Bay, Dick Angel, Tom Trainor, Nick Friedman, Bob Gorman  
No Report.

**UNFINISHED BUSINESS:**

(cont. on page 12)



**Don Jenkins**  
**Maritime Document Service, Inc.**

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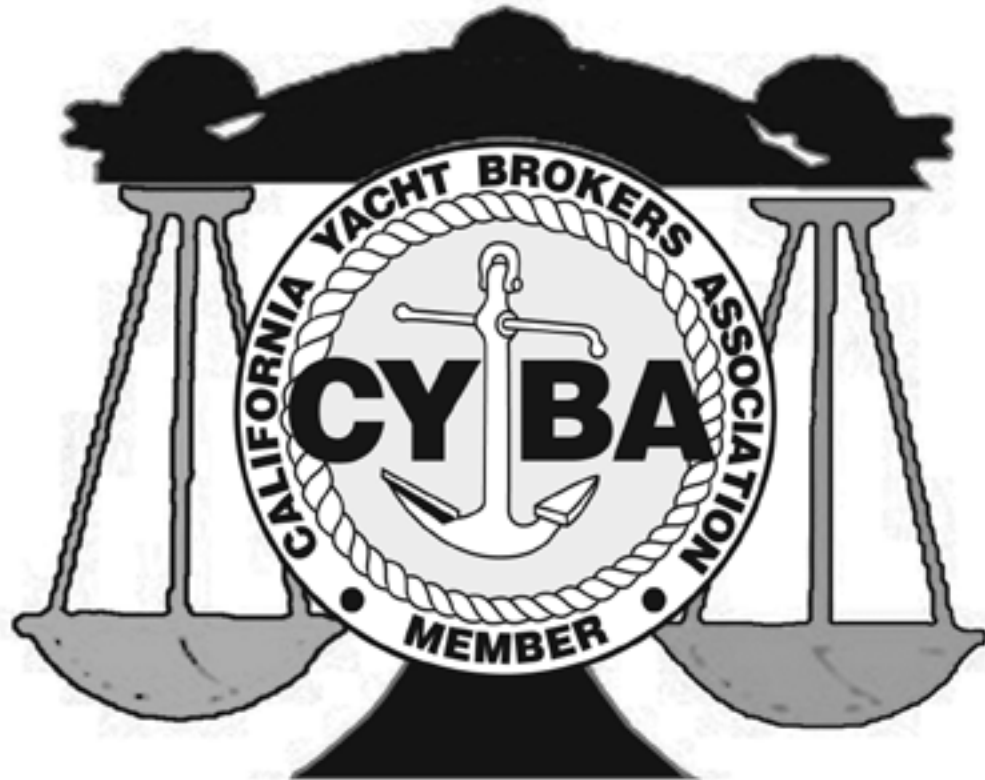


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# Yacht Sales & the Law XIII

*Wednesday June 2, 2010*

*Southwestern Yacht Club - San Diego*



reserve by calling (510) 536-6000 Or (800) 875-2922  
starts at 8:30 AM, lunch served, cost: \$60 per person

Please Print:

Attendee: \_\_\_\_\_ Company: \_\_\_\_\_  
Attendee: \_\_\_\_\_ Company: \_\_\_\_\_  
Attendee: \_\_\_\_\_ Company: \_\_\_\_\_  
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Form of Payment: Cash ( ) Check ( ) Credit Card ( )

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Credit Card # \_\_\_\_\_ Exp Date (     )  
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CYBA, 4703 Tidewater Ave., Suite D, Oakland CA 94601

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## CYBA Board

### Meeting... (cont. from pg. 9)

Web Site updates moving forward-  
work in progress

NEW BUSINESS:  
None

NEXT MEETING:  
Fiddlers Green, San Diego June  
1, 2010.

Meeting Adjourned at 3:14 pm by  
1st Vice President, Miquel Corelli.

Respectfully recorded and sub-  
mitted by Terie Salinas, Secretary  
CYBA.

## Quote of the Month

**"There is only one boss - the  
customer. And he can fire  
everybody in the company  
from the chairman on down,  
simply by spending his  
money somewhere else." -  
Sam Walton**

## From The Editor... (cont. from pg. 7)

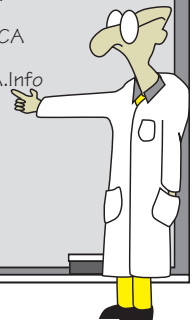
them and in doing so allow your  
newsletter to work for you. Please  
submit articles to me via email at  
jim@chuckhoveyyachts.com , I ask  
that you try and keep the article

to a couple paragraphs if possible.  
Thank you.

Respectfully,  
James H. Johnson, Editor

## Calendar

May 27	San Diego Brokers/Sales Forum - 11:30 am Fiddlers Green Restaurant - San Diego, CA
June 01	CPYB Discussion & Testing - 11:00 am - 3:00 pm Fiddler's Green Restaurant - San Diego, CA
June 01	CYBA Board Dinner Meeting - 6:30 pm Fiddler's Green Restaurant - San Diego, CA
June 02	Yacht Sales & the Law XIII Seminar - 8:30 am Southwestern Yacht Club - San Diego, CA
June 12-13	Marinafest Boat Show Marina del Rey G Basin - Marina del Rey, CA.
June 18-20	Spring Boat Show L.A. County Fairplex Center - Pomona, CA
June 24	San Diego Brokers/Sales Forum - 11:30 am Fiddlers Green Restaurant - San Diego, CA
July 07	CYBA Board Meeting - 10:00am Video-Web Cam Broadcast - Check CYBA.Info
July 22-25	San Diego Yacht & Boat Show Sheraton Harbor Island - San Diego, CA
July 29	San Diego Brokers/Sales Forum - 11:30 am San Diego, CA - Location TBD
August 04	CYBA Board Meeting - 1:00 pm Long Beach Yacht Club - Long Beach, CA



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