

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

3/25/2020

2. Department

Real Estate

3. Organizational Placement (Division/Branch/Office Name)

Executive Office

4. CEA Position Title

Assistant Commissioner, Administrative & Information Technology Services

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The core function and legal mandate of the Department of Real Estate (DRE, Department) is to protect the consumer and the public through the administration of the California Subdivided Lands Act [BPC Sections 11000-11287] and the Real Estate Law [BPC Sections 10000-10580]. BPC Section 10500*b) states, "It shall be the principal responsibility of the commissioner to enforce all laws in this part (commencing with VPC Section 10000) and Chapter 1 (commencing with BPC Section 11000) of Part 2 if this Division in a manner that achieves the maximum protection for the purchasers of real property and those persons dealing with real estate licensees."

In keeping with the DRE's mandate to protect the consumer and public, and under the direction of the Chief Deputy Commissioner of the Department, the Assistant Commissioner, Administrative & Information Technology Services, is responsible, through subordinate managers and supervisors, for oversight of the Human Resources (HR) section, the Fiscal Operations/Budget section, the Business Services section, the Information Technology (IT) Services section, and the Information Security Officer in a manner that achieves maximum consumer protection. The Assistant Commissioner, Administrative & Information Technology Services, is also the Department's Chief Information Officer (CIO). This position has direct responsibility for approximately 14% of the Department's employees statewide.

6. Reports to: (Class Title/Level)

Chief Deputy Commissioner

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The core function and legal mandate of the Department of Real Estate (DRE, Department) is to protect the consumer and the public through the administration of the California Subdivided Lands Act [BPC Sections 11000-11287] and the Real Estate Law [BPC Sections 10000-10580]. BPC Section 10500*b) states, "It shall be the principal responsibility of the commissioner to enforce all laws in this part (commencing with VPC Section 10000) and Chapter 1 (commencing with BPC Section 11000) of Part 2 if this Division in a manner that achieves the maximum protection for the purchasers of real property and those persons dealing with real estate licensees."

In keeping with the DRE's mandate to protect the consumer and public, and under the direction of the Chief Deputy Commissioner of the Department, the Assistant Commissioner, Administrative & Information Technology Services, is responsible, through subordinate managers and supervisors, for oversight of the HR section, the Fiscal Operations/Budget section, the Business Services section, the IT Services section, and the Information Security Officer in a manner that achieves maximum consumer protection. The Assistant Commissioner, Administrative & Information Technology Services, is also the Department's CIO. This position has direct responsibility for approximately 14% of the Department's employees statewide.

This CEA serves as a member of the Department's Executive Committee and on various internal and external task forces and provides guidance, input and assists in the implementation of any approved initiatives.

This position serves as the CIO for the Department. The CIO provides technology vision and leadership in the development and implementation of the Department-wide IT program. The CIO leads the Department in planning and implementing enterprise information systems projects to support both distributed and centralized business operations and achieve more effective and cost beneficial enterprise-wide IT operations. As CIO, this position has direct responsibility for the implementation of policy matters affecting the use of IT operations, security, and information privacy. The CIO is also responsible for the preparation of all technical reports including feasibility study reports, Technology Recovery Plan (TRP), Business Continuity Plan, special project reports, IT contracts, budget change proposals, as well as all IT-related reports required, and for oversight of all system enhancements, new automation and deployments, and system maintenance.

This position oversees the implementation of HR programs through HR staff. HR encompasses civil service recruitment and selection, labor relations, equal employment opportunity, classification and pay, return to work, reasonable accommodation, adverse actions and grievances. This section is responsible for union contract implementation, personnel transactions and benefits, management liaison activities and training.

This position oversees Fiscal Operations/Budget operations, including planning, decision making, establishment and implementation of fiscal policies for DRE. Fiscal Operations/Budgets maintains accounting records and processes DRE revenue through the Fi\$Cal system, prepares and reviews the Department's annual budget (\$53.6 million in the 2019/20 fiscal year), handles budget change proposals, and prepares fiscal analysis on proposed legislation.

The position also oversees the Business Services section, which manages contracts (including contract procurement and compliance), manages the stockroom, is responsible for maintaining inventory statewide, providing supplies to staff, purchasing major and minor equipment, shipping and receiving, sorting and delivering mail, and managing facilities and fleet services.

This position has contact with individuals and organizations involved in all aspects of the real estate industry, the Legislature, the BCSH Agency, local, state and federal agencies, and all levels of DRE staff, as well as the public.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The core function and legal mandate of the DRE is to protect the consumer and the public in a manner that achieves the maximum protection for the purchasers of real property and those persons dealing with licensees. As the largest regulator of real estate licensees in the United States, DRE is at the forefront of facing industry trends.

This position is responsible for formulating, reviewing and implementing laws, regulations and policies and procedures pertaining to HR, Fiscal Operations/Budget, Business Services programs, Contracts, IT, and acts as the CIO. This position serves as a member of the Department's Executive Committee - the internal policy-making body responsible for development and implementation of the Department's Strategic Plan. This position represents the Department in meetings with representatives from education providers, contractors, consulting firms, California Department of Technology, Business, Consumer Services and Housing Agency, Department of Finance, Department of Rehabilitations, Department of General Services and other State agencies, the Legislature, private industry, all levels of the Department of Real Estate, and the public.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

When the Bureau of Real Estate became the Department of Real Estate on July 1, 2018, this CEA position received the added responsibilities of oversight of departmental Fiscal Operations/Budget and HR programs, as well as a Business Services program and IT program with expanded contract preparation and contract servicing responsibilities, and the responsibility of creating and implementing departmental policies related to these programs. The position also acts as the Department's CIO with oversight of the Department's Information Security Officer.

The Department has been operating as a stand-alone Department since July 2018. It has become apparent during the last 18 months that the workload to manage six major departmental program areas is not feasible for one individual. This request removes the Licensing Program area from this position in order to address workload issues with the current position. In conjunction with this request, the Department proposes to establish a separate CEA A position to handle the Department's large Licensing Program.

In order to run these programs properly, the Assistant Commissioner, Administrative & Information Technology Services, must establish operating procedures to ensure that programs operate in compliance with State mandates of an effective internal control system. This CEA has responsibilities related to the Fiscal Operations/Budget, HR, Business Services, IT Services, and Information Security(ISO) programs as provided in the following examples:

- Fiscal Operations/Budget: Through the Assistant Commissioner, Administrative & Information Technology Services, the Department had to obtain purchasing authority accreditation through the Department of General Services, establish policies and procedures, and is subject to oversight by DGS.
- Fiscal Operations/Budget: The Department migrated its budgeting and accounting function onto the State's new Fi\$Cal system, a more complex system than the CalSTARS system that preceded it. Use of this system requires more technical knowledge of the CEA, as well as additional time for approval of invoices and access by the CEA.
- Human Resources: As a Department, DRE has delegation authority to make personnel management decisions, such as position allocation and hiring-above-minimum decisions. While this responsibility provides DRE with additional flexibility and control over personnel operation, it also imposes a greater responsibility and knowledge requirement on the Assistant Commissioner, Administrative & Information Technology Services, subjects the unit to a CalHR and State Personnel Board review program, and requires more oversight by this CEA.
- Information Technology Services: The Assistant Commissioner, Administrative & Information Technology Services, has been designated as the CIO of DRE. All departments are required to designate a CIO, who is responsible for ITS program policy and planning, performance management and information security reporting. The CIO is also responsible for the day-to-day execution of IT operations including application development and implementation, production and network planning and support, information security, enterprise architecture and client server applications, and serves as the highest level expert on DRE IT projects.
- Information Technology Services: The Assistant Commissioner, Administrative & Information Technology Services, as CIO, also supervises the ISO, who oversees DRE information security practices. The CIO and ISO positions are new responsibilities that came with department status, and significantly increase the duties and reporting responsibility of the Assistant Commissioner, Administrative & Information Technology Services.
- Information Technology Services: The Assistant Commissioner, Administrative & Information Technology Services, also oversees ITS management of the DRE's Enterprise Information System (EIS), which is ever-increasing in complexity as new capabilities are added to EIS. In the past year, DRE has added Broker-Officer renewal capability to EIS, as well as Broker Associate reporting so that these capabilities can be completed online through the DRE website. In the coming year, DRE will add examination scheduling and license application capabilities to EIS to allow these processes to be completed online via the DRE website.
- Information Technology Services: The Assistant Commissioner, Administrative & Information Technology Services, also oversees the processes required to make the DRE website fully accessible to all Californians. This project has been extremely time-consuming for the CEA over the past six months, and will continue as a big project for the remainder of this fiscal year, and ongoing to ensure all website content meets Web Content Accessibility Guidelines 2.0 (WCAG).

With DRE as a department, the reporting requirements to other State entities, including but certainly not limited to the Business, Consumer Services and Housing Agency, are greatly increased. The Assistant Commissioner, Administrative & Information Technology Services, is now involved in much of this reporting and interaction.

The Assistant Commissioner, Administrative & Information Technology Services, is also spearheading all DRE planning required for coordinating the future move of DRE's Sacramento Headquarters office to a new Richards Boulevard building in 2024. This project has already required extensive planning and meeting time of this CEA over the past year, and such coordination will continue well into 2024. The position will also oversee the relocation/consolidation of the Department's San Diego Office and Examination Center to a new site, pursuant to the sale of the existing San Diego State Office building by the Department of General Services in 2021-22.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

This CEA will oversee the Department's Administrative Services (HR, Fiscal Operations/Budget, Business Services) through subordinate managers and supervisors. This position has direct responsibility for formulating, reviewing and implementing laws, regulations and policies and procedures relative to the operation of these programs.

As the CEA over IT Services and the Department's CIO, this position has the direct responsibility for the implementation of policy matters affecting the use of information technology operations, security, and information privacy. The CIO is also responsible for the preparation of all technical reports including feasibility study reports, special project reports, budget change proposals, as well as all IT-related reports required by SAM, SIMM, and control agencies; studies that involve automation or system enhancements including business process re-engineering; design, development and deployment of new or updated technology infrastructures; and maintenance of the department's automated systems. In this capacity, a portion of this position's role is to make sure appropriate technology is in-place so as to provide the Department and the real estate industry with effective and efficient on-line business capability.

This position is involved in the planning, decision making, and establishment of budget and fiscal policies for DRE and will direct the formulation of the departmental budget (\$52 million) including interpretation of statistical and economical data and/or integration of departmental goals and budget constraints.

This CEA will be the policy maker on all work related issues. The CEA will create and establish policies that outlines the responsibility of the HR section to ensure compliance with all rules, regulations, laws and provisions of relevant bargaining unit contracts. The CEA will protect the Department by ensuring that all civil service rules and procedures are followed in accordance with CalHR and SPB.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Assistant Commissioner, Administrative & Information Technology Services will exercise decision making authority in all areas related to administrative support services. As a member of DRE's Executive Team, this CEA participates in management decisions and the formulations of policies and procedures that impact all DRE employees. This includes finance, budget, accounting, HR, business services, procurement and contracts, asset management, facilities management, IT, and information security.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CEA will be responsible for identifying and developing new policy and revising existing policy as it pertains to Administrative and Information Technology Services.

With respect to HR, the CEA will review, develop and create new policies regarding examinations, recruitment and selections, appointments, classification and pay, performance management, labor relations, training, personnel transactions, and health and safety matters. These policies must be created to ensure DRE operates according to CalHR and SPB guidelines.

The CEA will oversee the Department's Fiscal Operations/Budget section to ensure that all laws and rules governing State financial accounting, reporting and procurement practices are followed, and that DRE program and business objectives were met within budget allocation and constraints. The CEA will oversee the formulation of DRE's annual budget based upon policy direction from Executive Management, the Department of Finance, and the Business, Consumer Services, and Housing Agency. The CEA will oversee revenues and expenditures, monitor fund conditions, personnel service usage, review all BCP's, and and DOF Budget letters.

As the Department CIO and CEA over IT, this CEA exercise full decision making authority for all IT functions including but not limited to, IT policies, governance and metrics, IT security and compliance, ia coverage and releases related to enforcement actions, workshops, seminars, and forums. This CEA will deliver speeches on behalf of the Department and will be attending statewide legislative town hall meetings to provide information to consumers on real estate scams.