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A publication for
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HURRICANE SEASON IN YEARS

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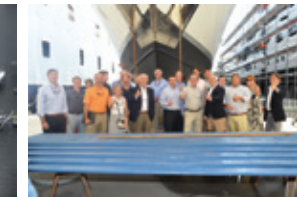
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BY CYNTHIA SAILOR, IYBA

Live Like a Refugee

Each time we close an issue of *Compass*, I find myself struggling with this column – I wonder what could I possibly relay to you that you don't already know? This month, however, I started writing without any hesitation back in early September after I spent the weekend watching the slow-motion destruction by Hurricane Harvey of America's fourth largest city by population. I was horrified as day after day we witnessed the Katrina-like disaster unfold in Houston before our eyes. As the emergency escalated, my urge to immediately take an unpaid leave of absence and drive as fast as I could to Texas became difficult to resist, even as my obligations to you and my family required me to stay.

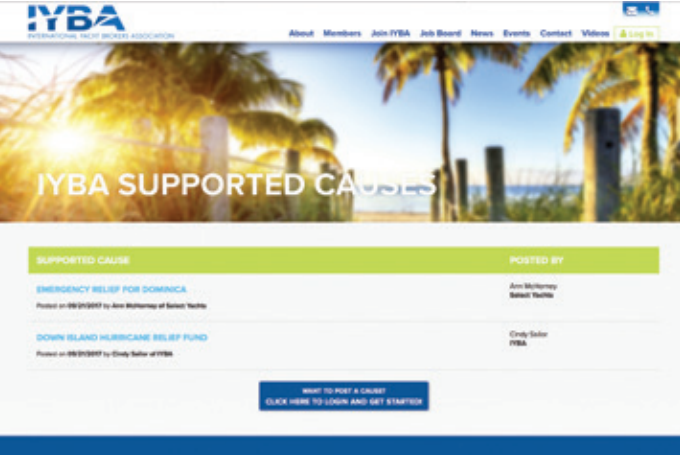


How could any of us have known that just a mere 10 days later, Hurricane Irma would hit so many people in the Caribbean and Florida – followed not long after by the destruction wreaked by Hurricane Maria? And now, as I think how blessed I am to have a house that's still standing, telephone service, electricity, air conditioning, and food restocked by the grocery store, I am even more conflicted about what to do. Between hurricanes, tornados, earthquakes and wildfires, it seems like barely a day goes by that some unprecedented disaster doesn't strike somewhere.

At the September IYBA Board of Directors meeting we spent a large part of our time together debating the merits of one hurricane relief effort over the other. Should we focus on the Keys, or the British and U.S. Virgin Islands? What about Dominica and Puerto Rico? St Martin and Barbuda? There was and is just SO much need. There is virtually no one in this association who has been left unaffected by these tragedies, both personally and professionally. Where can we do the most good?

The truth is, you can ask 50 different people about their charity preferences, and each one will give you a long list of relief efforts they support. IYBA has several current and past Board members who are actively providing emergency relief using their own personal money, aircraft, yachts, and/or individual sweat equity and personal relationships. Please see page 38 for more on

some of their efforts. We've also added a "Cause" page to the IYBA website, where I encourage you to input your own personal relief projects of choice. My hope is that this area can be used by members to connect those who have amassed stockpiles of products with the groups who desperately need those resources. The point being, with as many people suffering beyond anything any of us have ever imagined, we need to give and then give some more.



As far as updates about current IYBA business, we have several things to relay. First, our Deferred Importation legislative initiative is really gaining momentum with the focus in Washington being on tax reform. Staley Weidman, chairman of our Public Affairs Committee, reports on the latest updates on that front on page 10. It's a very exciting time and we hope that in the 4th quarter, this huge undertaking will pave the way to bring many more yachts for sale to our shores and many more jobs for our local workers.

Second, I've just returned from the Monaco Yacht Show, which easily was the largest edition of the show yet, and it really seems as though the European market has sprung back. I heard a lot of optimism from people I spoke with on the docks.

IYBA is opening a European Chapter, to be headed up by Hein Velema, formerly of Feadship and Fraser Yachts. Hein's plans to support the European contingent include hosting educational seminars and coordinating broker open houses in a similar vein to the way we've been engaging and educating IYBA members here in the U.S. If you know Hein, please reach out and welcome him to the association. If you do not know him, please plan to say hello at the Fort Lauderdale International Boat Show in November.

Third, and certainly not least important, our own boat show in Miami has been re-named the "Miami Yacht Show". We have more details on page 24. Please be sure to pass the new name along to your respective marketing departments so they can be prepared to address the advertising and marketing changes in getting ready for the show, which runs Feb 15-19, 2018.

Cheers,

Cynthia

Cynthia Sailor

Cover image provided by Westport Yacht

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Liability for Damage Caused by Breakaway Vessels During the Recent Storms



After a storm, an owner sometimes returns to discover his vessel has taken on a life of its own, crashing into other vessels, docks, and seawalls. What happens when a vessel breaks loose from her moorings and causes damage to her berth or another vessel? Under what circumstances will the breakaway vessel be held liable?

In maritime law, liability for damage caused by an allision (when a moving vessel strikes a stationary object) depends on fault. American courts have developed a set of judicial presumptions that apportion fault in collision and allision cases. One of these presumptions is the Louisiana Rule—named for the U.S. Supreme Court case, *The Louisiana*, 70 U.S. (3 Wall.) 164 (1865), that established the rule—which holds that a drifting vessel that allies with a stationary object is presumed to be at fault for any damage it caused.

The Louisiana Rule “derives from the common-sense observation that moving vessels do not usually collide with stationary objects unless the moving vessel is mishandled in some way.” *Bunge Corp. v. Freeport Marine Repair, Inc.*, 240 F.3d 919, 923 (11th Cir. 2001). Thus, the Louisiana Rule is analogous to the general tort doctrine of *res ipsa loquitur* (“the thing speaks for itself”), which holds that, when an object causes damage that could only have occurred through negligence, the person responsible for the object must have been negligent.

When a court finds that a vessel broke free from her moorings and allied with a stationary object, the breakaway vessel is presumably at fault and the vessel’s owner is presumably liable. An owner can rebut that presumption by showing one of three things: that the stationary object was at fault, that the owner used reasonable care, or that the allision was an inevitable accident. See *Fischer v. S/Y NERAIDA*, 508 F.3d 586, 593–94 (11th Cir. 2007).

BY DAVID R. MAASS, Alley, Maass, Rogers & Lindsay, P.A.

First, an owner can rebut the presumption by showing that the stationary object was at fault. If the breakaway vessel allied with another vessel, the owner could show, for example, that the other vessel was moored in a dangerous location. If the breakaway vessel damaged her berth, the owner could show that the berth was not maintained in a safe condition. This rebuttal resembles the tort defense of contributory negligence, when a defendant turns the tables to show why the plaintiff was really the cause of his injury. See *id.* at 593.

The second way an owner can rebut the presumption is by showing that he used reasonable care to secure the vessel before the storm. “Applied to the context of hurricane preparations, reasonable care amounts to whether the owner ‘use[d] all reasonable means and took proper action to guard against, prevent or mitigate the dangers posed by the hurricane.’” *Id.* at 594 (alteration in original) (quoting *Stuart Cay Marina v. M/V SPECIAL DELIVERY*, 510 F. Supp. 2d 1063, 1072 (S.D. Fla. 2007)). Whether the owner’s actions met the legal standard of reasonable care depends on a number of facts and circumstances and in many cases, requires evidence of industry practices.

Finally, the owner can rebut the presumption by showing that the allision was an inevitable accident. An owner asserting the defense of inevitable accident bears a heavy burden, for he must show that he took every reasonable precaution. See *Boudoin v. J. Ray McDermott & Co.*, 281 F.2d 81, 88 (5th Cir. 1960). It is not enough to show that the cause of the allision, such as a hurricane, was beyond the owner’s control. “An accident is said to be ‘inevitable’ not merely when caused by vis major or an Act of God but also when all precautions reasonably to be required have been taken, and the accident has occurred notwithstanding.” *GRANT GILMORE & CHARLES L. BLACK, JR., THE LAW OF ADMIRALTY* 486 (2d ed. 1975).

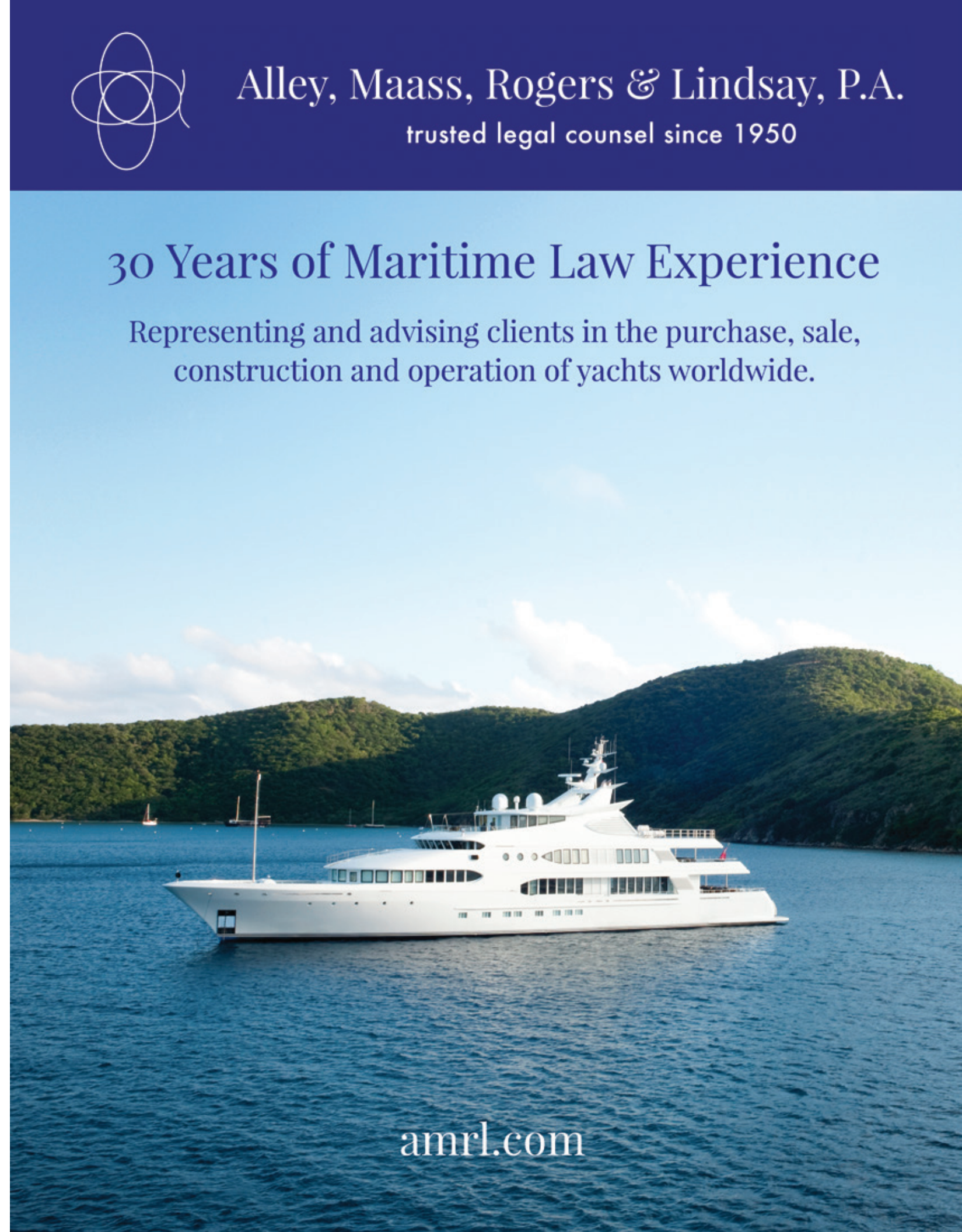
The Louisiana Rule means that the owner of a breakaway vessel faces an uphill battle to avoid liability for damage caused by his vessel. The law imposes on him the burden to show that the other object was at fault, that he used reasonable care to secure his vessel, or that the accident was inevitable. The best way for owners to protect themselves from liability for breakaway vessels is to take all reasonable precautions to secure their vessels before the storm and document those precautions thoroughly.



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Get to Know Your Board Members: IYBA President Paul Flannery, SYS Palm Beach



Q: What first attracted you to yacht brokerage?

A: I worked as a boat captain for several years, then chose to come ashore to be more present in raising my family and got a job working at Circuit City. I found that I liked selling and interacting with people but retail electronics and washing machine sales were just short of exhilarating. As luck would have it, I was walking down a dock in Jacksonville and saw a Bertram logo on a broker's door and the rest is history.

Q: How long have you been in the brokerage business?

A: I started in the fall of 1992 – A particularly good time to learn as we were not distracted by clients calling and walking in the door. It was at the time of the luxury tax, which is not a particularly fond memory for those of us who were in the industry in those days.

Q: What is your favorite thing about selling boats?

A: The process of helping people find the right boat to fit their needs is frustrating at times, but ultimately very rewarding. To know that you have helped a family find the platform to enjoy some of life's most cherished memories aboard is really satisfying.

Q: What is the strangest/funniest thing that has ever happened to you in the course of helping a client to buy or sell a boat?

A: The first boat I ever sold was to some Colombian clients at the Miami Boat Show. I had to do the deal in Spanish and needless to say, it made my broker a bit nervous that his new guy was selling his most expensive piece of inventory in a foreign language and having to employ some very rusty Spanish to do so. The strangest was when I went aboard a

BY LOUISA BECKETT, Turnkey Communications & PR, Inc.

listing to show it to clients and found the owner in his bed, having passed away the night before from a heart attack. I think the young couple that I had in tow is probably still running away from that dock. After that, I had a new rule for my guys when doing showings: Turn on the lights, open the blinds, turn on the music, check for dead guys, and then bring your client aboard.

Q: What is your single piece of advice for a new yacht broker?

A: Educate yourself in every way possible. While we have all manner of products available to offer to clients, the best way to add value is to be able to provide guidance on every aspect of the boating experience. READ your contracts and understand them. Know about systems, design, finishes, financing, insurance and anything else you can think of pertaining to enhancing the buying, owning and selling experiences for your client. Oh, and I hear that a trust fund really helps smooth out the bumps in what can be an "exciting" income....

Q: Where do you see the industry heading?

A: Our industry has changed significantly in the last 25 years in respect to how we share information. I think that is one of the ways we will see the most dramatic changes going forward. Products will advance, systems will change and I'm sure construction techniques will change as well. What will never change is the opportunity to share special experiences with those close to you in the world's most unique and beautiful locations.

Q: What are your favorite cruising grounds?

A: I've spent a lot of time cruising the Bahamas and those islands hold a special place in my heart. That being said, I have yet to cruise anywhere that I don't find interesting and beautiful in its own way. Except maybe Perth Amboy, N.J.

Q: Whom would be your favorite person to cruise with and why?

A: I think I would like to cruise with Captain Jack Sparrow. Chics dig him and he makes me look sane.



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Deferred Importation Bills

IYBA's priority legislation may be attached to President Trump's tax reform package on the Hill.

Officials with U.S. Customs & Border Protection (CBP) say they support removing the Deferred Importation duty on foreign-flagged yachts offered for sale in U.S. waters, according to IYBA Public Affairs Committee Chairman, Staley Weidman.

"Out of the menu of options we discussed and I presented to them, they felt the best option is to eliminate the duty altogether," Weidman said. "The juice just isn't worth the squeeze for CBP, in that the revenue generated from the tariff isn't enough to justify the cost of enforcement. They told me CBP will not oppose a tariff exemption in that case."

On August 18th, U.S. Congressman, Rep. Brian Mast (R-FL 18th District) introduced the Maritime Industries Relief Act of 2017, which has been assigned the bill number H.R.3662. The Act supports IYBA's Deferred Importation initiative to reform the outdated Tariff Act of 1930, either by repealing it or deferring payment of the duty by the seller until the yacht is sold. Rep. Mast's measure, which will be attached to the tax

BY GARY BECKETT, Turnkey Communications & PR, Inc.

reform bill being debated in Congress, calls for the complete elimination of duty on pre-owned dutiable foreign-flagged boats offered for sale to U.S. residents while in U.S. waters.

"We will continue coordinating on Capitol Hill and gathering co-sponsors, and we will talk with Ways and Means soon," Weidman said. "Meanwhile, the stronger our coalition is when the tax reform package reaches the Floor, the better our odds of getting H.R.3662 attached."

The effort to repeal or defer the importation duty on foreign-flagged boats has gained support since May, when Rep. Lois Frankel (D-FL 22nd District) sponsored H.R. 2369, a re-submission of a bill she sponsored in the last Congress. Mast's legislative efforts have helped to increase support in Congress by providing legislators with several options to allow U.S. citizens to purchase foreign-flagged yachts without requiring sellers to pay the duty before they can even set foot on board.

"We believe this multi-pronged approach will give Congress several choices to consider for adopting this important legislation that ultimately will allow foreign-flagged and -built, pre-owned yachts to freely market and sell to U.S. residents while in U.S. waters," Weidman said. "Ultimately, passage of any of these bills means those vessels will rely on service and support in U.S. ports by U.S.-based companies and workers. It's a win-win for everyone."



Congressman Brian Mast (fifth from right) with IYBA Members



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Summertime Blews



Selling a boat is difficult enough in perfect conditions. When representing a buyer or seller during the summer months, it is important to keep your eye on the horizon for tropical storms and hurricanes. The 2017 hurricane season serves as a reminder that our industry must work with Mother Nature, not against her. It is important to note how named storms can affect a closing, especially as it relates to insuring the vessel.

There are dozens of yacht insurance companies with differing underwriting timelines and guidelines. Every insurance company has its own underwriting criteria concerning imminent storms, and it has full authority to issue a moratorium (temporary prohibition of binding) anytime at its discretion. Depending on the path, size and strength of the hurricane, binding moratoriums may be issued for individual counties or as broad as the entire state.

It is important to remember, however, that just because your insurer is not accepting new business it does not mean that all other insurers are under the same restrictions. If you are working with a marine specialist who has access to multiple underwriters, there is a good chance that he or she will be able to offer a solution for your closing.

It is still possible to close on a boat with an approaching storm, but it may take some creativity and flexibility to get it done. For example, if it is possible to relocate the boat for closing, the vessel can be moved to a different state or county where insurers are still accepting new business. A benefit of living in South Florida is the opportunity to navigate north, south, east, or west depending on the storm's path. The seller may incur additional costs to relocate the vessel, but the point is that you would be permitted to close with full insurance on the boat.

If relocation is not an option, you may still insure the vessel with a Hurricane Exclusion. The vessel will have full coverage for all perils other than damage caused by named storms. This might seem pointless with an incoming storm, but who knows, the buyer may already have reserved space in a CAT 5-rated indoor facility. Even better, he or she may plan on relocating the vessel north before the storm hits.

JOHN M. JARVIE, II, Vice President, Oversea Yacht Insurance

While it is not recommended to go uninsured, it is an option. If there are no other option, it is possible to close without insurance and obtain a full policy after the storm passes. In most cases it is not a legal requirement to have insurance, but most marinas, shipyards, and finance companies require the vessel to be insured.

After the storm

Just because a hurricane has passed does not mean that you can immediately obtain insurance coverage. For one, there may be a second or third hurricane tracking behind the initial storm, causing insurers to maintain the moratorium. Even with clear weather, most insurers will wait a few days or even weeks to lift the moratorium following a hurricane. Insurance companies need to assess their losses before accepting new business. They may choose to increase rates, restrict coverage, or rescind the quotation. Three weeks after Hurricane Harvey struck Houston, 50 percent of insurers were still not accepting new yacht business in the Gulf of Mexico. Hurricanes Harvey and Irma caused roughly \$200 billion of combined damage, and subsequently put more than one insurance company out of business.

Once your insurer has re-opened for business after a hurricane, it likely will request confirmation that the vessel was not damaged during the storm. As a result, you may be required to obtain a new survey, but a basic "re-attend" survey also may be acceptable. Be sure to confirm with the insurer whether the survey needs to be afloat or hauled. In lieu of a survey, your insurer may accept photographs in conjunction with a signed "No Loss Statement" to confirm that the vessel has not sustained any damages since the initial pre-purchase survey was conducted.



The best advice is to start the process early. Insurance doesn't have to be the last decision involved in a boat purchase. Once your buyer has obtained insurance quotes, they are often valid for 30-plus days. With a little bit of planning and diligence, coverage can be placed days or even weeks prior to closing. As long as the policy is bound before a moratorium is issued, your buyer will still have a binder in hand regardless of any incoming storms. If the date of closing changes, the binder always can be revised to reflect the actual date of closing.



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Hurricane Lessons

This hurricane season has raised more questions than ever about how to recover from – and prepare for – big storms. Here are tips from brokers who have been there.

Harvey. Irma. Maria. Their names, and the destruction they’ve left behind, are emblazoned on our brains. Headlines reading “devastating,” “mind-boggling,” “merciless,” and “catastrophic” were anything but exaggerations. Even the most seasoned residents of hurricane-prone regions were left stunned by the power of Mother Nature and the aftermath. Almost as quickly as the storms roared through, pictures emerged of flooded neighborhoods, marinas reduced to rubble, and docks ripped from their foundations. Even more photos revealed boats, from small sailboats to superyachts, smashed and sunken. With economic recovery estimates in the billions of dollars, it’s no wonder some people have a hard time imagining the future.

Every boater knows that major storms can come with the territory. Still, they can be left dazed by their yacht being damaged or destroyed. Along those same lines, they may not be fully conversant in the steps to take before a potential natural disaster strikes. If you’ve never been through a hurricane before in your current role, you may have questions as well. To help both you and your clients, we spoke with a handful of brokers who are hurricane veterans, both personally and professionally. Their sage advice comes down to one word: planning. In fact, they emphasize the importance of mental planning as well as physical.

1. Communication is key. Before and after a storm, reach out to your customers and/or their captains. Lon McCloskey of Worth Avenue Yachts urges his customers to protect their boats as far in advance as possible. “There’s no reason for you not to be prepared,” he says. “With Irma, we had a week to prepare.”

BY DIANE M. BYRNE, Editor, MEGAYACHTNEWS.COM

Growing up in New Orleans, and being a broker in Florida for more than 30 years, McCloskey cautions that hurricanes aren’t the sole risk, either. “Even a tropical storm is an issue,” he explains. “Water can do more damage than wind in some cases.” Furthermore, he points out that tornadic activity associated with both types of storms can be unpredictable.

Stan Hoynowski of Galati Yacht Sales, who was a boater for many years before becoming a broker, considers conversations prior to a hurricane to be valuable. “... it gives you an avenue to follow up and discuss with them how they came through,” he says.

Hoynowski believes it’s especially important to communicate with clients who keep boats in your area but aren’t local themselves. After all, a storm’s path can change, and their yachts ultimately may not be affected.

Leonce Richards of Worth Avenue Yachts has dealt with hurricanes in a variety of professional roles over the years. He strongly recommends that post-storm, brokers send an e-blast to the owners of yachts in their central listings that sustained no damage. “That way, they don’t have to worry,” he says. Then, he suggests, “Get the word out that those boats are fine. It drives more business for your clients.”

Besides, Richards adds, “If you watch the news from anywhere else in the country, you’d think every boat in Florida has been destroyed.”

2. Take care of things for your clients without their asking. McCloskey recommends securing boats for customers who may be consumed with storm preparations at home or, if they’re not coastal residents, busy with their regular lives. “They become a customer for life,” he says.

Most important, all three brokers strongly recommend reminding clients to follow their insurance agency’s hurricane-plan policies.

3. Post-storm, “Know what you do not know.” Richards makes this point, explaining that you need to determine when it’s appropriate to give advice versus giving your customer the name of someone else to call. “The best brokers know how to direct their clients to help,” he asserts. “It doesn’t mean they need to be that help.”

The types of referrals you offer might include a company to perform salvage, which McCloskey says is crucial to get right. “Salvage operations are critical, sometimes doing more damage than the storm,” he explains.

4. Remind clients that storm recovery is a marathon, not a sprint. Due to all the hurricane activity this year, insurance claims adjusters have a significant number of cases on their hands. Furthermore, McCloskey points out, adjusters are called in from all over the country, whether they are boat experts or not. “They’re so overwhelmed,” he says. “This process, with these storms, will be a slow process.”

Richards cautions that even if the insurance response is swift, it may not be wise for your client to respond similarly. “If the insurance company calls you and offers you anything other than the full value of the boat, I wouldn’t move that quickly,” he says. “You’re going to be out of boating for a little while anyway. So, take your time, and make sure the damage is assessed properly.”

5. Encourage customers to advocate for themselves when it comes to insurance claims. In fact, arguing over the insurance claims could very well be the right thing to do. Every broker we spoke with was adamant that clients need to do their homework, because insurance companies may make offers that don’t add up.

“Figure out whether your insurance company is trying to get you a check and almost overpay you just to clear your claim, or whether they’re trying to nickel-and-dime you,” Richards recommends. He also says big claims can make it challenging to secure future policies. “[Clients] need to think down the road before taking a check from the insurance company,” he advises. Hoynowski says the Galati team, “only gets involved in insurance discussions if the owner is unsatisfied with what the insurance

company is offering, and will ask for advice for the value of the boat.” In that situation, he continues, he and his colleagues provide market-analysis numbers that the customer can use in his or her negotiations.

6. Like the Boy Scout motto, both boaters and brokers need to “be prepared” well before a storm develops. Even if you know your clients have a hurricane plan, make sure they follow it. “If a marina says you have to leave, you leave,” McCloskey says.

Richards sees the biggest problems arising when people try to secure their own boats, yet fail to think through different scenarios. “It’s not because of stupidity, it’s because of ignorance,” he says. “Sometimes it’s better to move the boat, and sometimes it’s better to haul it out. If a boat will remain in the water in a slip, the owner or the captain needs to consider on what side of the boat the storm’s going to pass.” They should create a diagram of exactly where their lines and fenders need to be for each scenario. It will save valuable time.

The concept of preparation applies to you and your colleagues as much as it does your clients. For example, just as every owner should have a hurricane plan, so, too, should your office. “Galati has set plans for each location to protect stock boats as well as the office equipment,” Hoynowski says.

In addition, your storm plan should incorporate a communications plan. The three brokers agree that company policy should include using e-blasts and/or social media to alert customers to how you and your business fared during the storm. You might be surprised at how much your customers care about your well-being. Post-Irma, “It was amazing how many people called us up and wanted to know the status of our offices,” Hoynowski says. “There was genuine concern from customers.”

Not surprisingly, every piece of advice these brokers shared really comes down to prior preparation. The more you weigh the proper steps to take when a hurricane threatens, and do so when circumstances afford a calm and methodical approach, the better off you and your customers will be when the next one strikes.



Huge Charter Challenges in the Age of Monster Storms



Image by Ted Swoboda - Broward Yacht Photography

This year's Caribbean hurricane season has been one nasty, wicked beast, and it is creating unprecedented challenges for retail charter brokers and fleet managers alike.

The level of destruction going into this winter's prime charter months is already unimaginable, with hurricane season still active through the end of November. Category 5 Irma was among the most intense storms on record, and she was just one among 13 named storms, including 7 hurricanes and 4 Category 3 or stronger hurricanes, that had formed in the Atlantic by mid-September.

Only eight other years on record (since record-keeping began in the mid-1800s) have had seasons with seven or more hurricanes in play prior to September 17th, according to Colorado State University tropical meteorologist Phil Klotzbach. And if you look at the 30-year average for entire Atlantic seasons, the total number of hurricanes you would expect to see is only six, according to The Weather Channel—which predicted even before Category 4 Maria slammed into Puerto Rico that, “2017 may move into the Mount Rushmore of notorious Atlantic hurricane seasons.”

Yes, charter brokers have long had to deal with the ramifications of storms, but this year is different. It's one thing to discuss force majeure in terms of a yacht being wrecked, but it's an entirely other conversation when a whole charter destination's infrastructure is obliterated.

That's the case across a swath of the northern Caribbean and Virgin Islands right now. Irma alone damaged marinas (some severely) and took out the Bitter End Yacht Club on Virgin Gorda, every Pusser's location in the Virgins, Foxy's and the Soggy Dollar Bar on Jost Van Dyke, the Willie-T on Norman Island, the Eden Rock on St. Barth's, Princess Juliana International Airport on Sint Maarten and much, much more.

BY KIM KAVIN, EDITOR, CHARTERWAVE.COM

Many charter brokers would be hard-pressed to propose a winter charter itinerary that didn't include at least a few of those spots.

“What happens when the boat's fine, and the owner doesn't want to cancel, but he also doesn't want to go to a place with no infrastructure or services where it could be dangerous?” asks Daphne d'Offay, senior charter broker with Ocean Independence and co-chair of the IYBA Charter Professionals Committee. “Nobody knows yet. We're trying to figure that out.”

Experts say that retail charter brokers can suggest a few protections for their clients. For starters, there's the standard hurricane addendum to basic charter contracts; the AYCA addendum gives clients a year to rebook if a named storm is heading to the charter location within 48 hours of the itinerary commencing.

That helps when the storm is bearing down, but not beyond, says Charter Professionals Committee member Patricia Codere, head of Fraser Yachts charter management in the United States. “The hurricane addendum doesn't say, ‘If the island should be so completely destroyed,’” she explains. “It says within 48 hours of a named storm, there's an option to reschedule.”

Looking beyond those 48 hours of a storm hitting, brokers can advise clients to purchase trip-cancellation insurance. In the current situation, where some clients are considering cancellations a month or more in advance because of damage to the destination, such insurance policies are the only protection available.

In the past, clients may have considered trip-cancellation insurance only for a unique charter event, says Jeff Shaffer, charter management director at Superyacht Sales & Charter and co-chair of the Charter Professionals Committee. “If it's a one-time thing, a 50th birthday or something like that, then they might want to go to the expense of taking out the insurance,” he says.

Going forward, with the recent devastating storms in mind, brokers may want to suggest trip-cancellation insurance on a more regular basis, d'Offay says. “It's very hard, most retail brokers would tell you, because if they start to use what sound like scare tactics to educate their clients, it may turn the client off altogether,” she says. “A lot of brokers won't do it for just that reason. I think we have to find positive ways to help the client understand that they are protected. They're spending a lot of money. If they're educated, then everybody is more covered for a potential situation.”

Compared to retail brokers, charter yacht managers face different challenges with their clients right now. Yacht owners, following Irma, started looking hard at the meaning of force majeure in pending charter contracts. Most crewed yachts survived that storm just fine, according to early reports, but some owners watching news coverage out of the islands were horrified at the thought of placing their boats and crew into what might become a dangerous situation filled with desperate people on islands with power grids and communications wiped out, and possible long-term shortages of food, water and medical supplies.

“The first few days in the BVI were pretty scary because prisoners escaped,” Codere says. “That's under control now, but there's going to be a lot of unemployment. A lot of hotels need to rebuild and won't reopen this year. The housekeepers and whatnot, they're not going to have jobs. It's...an unknown thing.”

Force majeure clauses typically include phrases such as “civil commotion,” “act of God” and “war risk,” but invoking those clauses to cancel a charter booking several months ahead of time, on the prediction of possible unrest, is not something the courts have ever tested in a charter case, according to IYBA member Michael Moore, founding partner of Moore & Company, which specializes in maritime law.

Moore says that several legal principles are likely to come into play as yacht owners and charter clients sort through the current concerns. The first is a defense known as impossibility of performance.

“You ordinarily see it in construction contracts, but it's part of all contracts,” Moore says. “It's a public policy. If you can't perform, you can't perform, if it's impossible.

“Then you get into the question of whether it's really impossible,” he adds. If charter clients and yacht owners end up in a legal dispute on that point, Moore says, judges and arbitrators are likely use what's known as the reasonable-person standard to determine whether, to a reasonable person, performing the charter was truly impossible. “You've got to really use common sense,” Moore says. “You have to have a reasonable person saying, ‘Barbuda has been wiped out, but another island nearby would be good.’ You can't say, ‘Well, let's go to Antibes.’ If you were planning to go to Barbuda or another of the smaller islands that's completely wasted, you have to use that reasonable person issue. The owner usually has to mitigate damages, has to try to do the best they can do to live up to the contract. The charterer has to be flexible, or they will have nothing to complain about. There is a good-faith aspect to these contracts.”

Owners seeking to invoke force majeure or civil commotion clauses may have a challenging time, Moore says, given that a

self-sufficient, 150-foot superyacht can anchor off an island's coastline and host a terrific charter even if the buildings ashore are in disarray. And invoking a civil commotion clause, he says, is a defined concept that applies to things like roving gangs of terrorists, not to Foxy's having only two kinds of rum punch available at a partially rebuilt bar.

“It's a little more than the ATMs aren't working,” he says. “It's more like, Hezbollah has done what? They killed who?”

Moore's advice to charter brokers working with clients or owners is to document everything as questions and answers come up—build a “hard record” of who's being reasonable and who's being unreasonable as everyone tries to come to an agreement about charters in a storm-ravaged region. Judges and arbitrators will look at who seems to be cooperating and who isn't, Moore says, especially when the contract clauses provide no clear answers.

Charter yacht managers also can educate owners about business-interruption insurance, Moore says. Just as trip-cancellation insurance can protect clients, business-interruption insurance can protect owners.

“Basically you have a situation where, could you leave, could you execute the charter,” Moore says of an owner's predicament. “And because you did not execute the charter, what were your losses. Then you have to deduct every dime of running costs that you did not incur to get a net-profit loss, which is what business-interruption insurance is designed to cover. It's a major undertaking.”

And for anything that contracts and insurance policies fail to cover, charter brokers on both sides of pending bookings are simply going to have to work together and try to figure out solutions while the islands rebuild.

“If I know an owner doesn't want to go to a place that is uninhabitable right now, and the client can be convinced to go somewhere else, then that's what we're going to try to do,” d'Offay says. “This really tests our communication skills right now. It's not just about contract terms. We're going to have to be creative and come up with possibilities.”



Image by IGY Marinas

Member News

BRADFORD MARINE is fortunate to report that we did not experience any damage to our brokerage listings or showroom during Hurricane Irma. We recovered quickly and our listings are ready to show.

Bradford Marine offers a co-broker-friendly program that includes complimentary undercover dockage in Fort Lauderdale to qualified listings. For program details, contact a Bradford Marine broker or call the sales office at 954.377.3900.

CAMPER & NICHOLSONS is delighted to announce the appointment of Steven Andereck, who has joined the sales team in the Fort Lauderdale office. Over the last 17 years, Steven has spent a significant amount of time building lasting relationships with those in the yachting industry.

“Steven exemplifies the professionalism, knowledge and commitment to customer relations our clients have come to expect from Camper & Nicholson’s,” said Cromwell Littlejohn, commercial director USA. “We are very excited to have Steven join us in the Fort Lauderdale office and are confident that he will be a tremendous addition to our U.S. sales team.”

DENISON YACHT SALES has opened its 24th office, located in Southport, Conn., a suburb of Fairfield. The office is Denison’s fourth in New England. Denison’s Connecticut office will be led by Ted Lahey, a yacht broker who has spent his entire career in the marine and yachting industry, including with The Hinckley Co. and over 20 years as the owner of Essex Boat Works.

Ted specializes in sailboats, trawlers and Downeast boats. Denison also will represent Hatteras at the Connecticut office, which is at 411 Pequot Avenue. To learn more, call 203.780.0095, visit DenisonYachtSales.com or email Ted at Ted@DenisonYachtSales.com.

Denison Yachting also is pleased to welcome aboard Max Parker, Charlie Nicklaus and Yessica Lepe. Max attended Florida Atlantic University and has worked as a captain and manager of several charter fishing yachts. Charlie grew up in North Palm Beach, Fla., and graduated from Rutgers University. He grew up running his families’ boats around Florida and the Bahamas and looks forward to bringing his expertise to the Denison team. Both men will be based in Denison’s Palm Beach office. Yessica has been hired as a Yacht Broker Assistant in Denison’s Miami office. She graduated from the University of Central Florida and has worked in the travel and real estate industries prior to pursuing a career in yachting.

EDWARDS YACHT SALES (EYS) is taking reservations for its FREE technology seminars during the 2017 Fort Lauderdale International Boat Show aboard HEAVENS GATE, the 92’ Allseas Expedition Yacht it will be showcasing during the show. To reserve a seminar, contact Randall Burg, Edwards Yacht Sales, at randall@edwardsyachtsales.com

EYS is pleased to welcome aboard the following new team members to its Fort Lauderdale office:

- Randall Burg, Lead Broker, Southeast Florida office, Fort Lauderdale. Randall has been a licensed yacht broker for close to 20 years and sold over 1,000 yachts. Previous to joining EYS he ran his own four-office brokerage in California with a sales team of 25.

- Luran Galgano brings to EYS 30 years of experience in yacht and real estate sales. Previously, she was owner of Esmeralda’s Yachts in Marina Del Ray, Calif.

- Montie Sue Spano was born in Florida and has worked on yachts since the age of 18, and is the previous owner of a boat dealership in Dania.

- Steve Houle has been around yachts for most of his adult life. Along with holding a 100Ton Captains license, Steve is owner/ operator of a yacht management company and has hands-on knowledge of every aspect of a yacht from the systems, electronics and mechanical components.

- Robert Kriensky has a 100 Ton Captains license and is a licensed Florida real estate broker. Bob is a master salesman and is connected to

“high worth” individuals in the boating community.

- Steve Spina is one of the country’s top tournament sport fisherman having won, among other tournaments, the Bisbee in Cabo San Lucas, Mexico. He will be specializing in listing and selling sportfishing yachts.

- Also, EYS welcomes Floyd Patterson to its Miami office from another brokerage firm. Floyd has a 100 Ton Captains license, and, until recently, was a towboat captain.

RICK FURTADO of **FLORIDA YACHT GROUP** in the Florida Keys reports: I have survived Irma. My yard and carport are destroyed. My concrete house did not fail. No water or wind intrusion. I have power and water (one of the only in my neighborhood). I have opened my office to help displaced Keys residents purchase RV’s with FEMA emergency grants. I expect to be extremely busy with FEMA-related sales. Unfortunately, my inventory is low (seasonal). I expect we will sell out shortly. I will start addressing the boat business when we are no longer under National Guard curfew and travel restrictions. I have numerous calls for vessel damage estimates from insurance underwriters. I can be best contacted by text to 305.570.8090. I consider myself lucky!! A heartfelt THANK YOU to all who have offered assistance during this time of need. I am proud to be associated with a professional organization that has a heart.

GALATI YACHT SALES team members showed their support for continuing education by attending the IYBA Yacht Sales Summit in Sarasota on August 22, 2017. Brandon Kummer was presented with Certificate #90 for successfully completing the “Fundamentals & Essentials of Yacht Brokerage” (F&E) online course. On hand to do the honors was, Rae Whitt, Yacht Broker Institute (YBI) co-founder.

Darren Plymale commented, “The Yacht Broker Institute has assisted Galati Yacht Sales in our onboarding process with preparing our new team members to immediately be effective within a very competitive brokerage market. The curriculum Rae Whitt & Kevin Ralph have developed provides our team an excellent understanding of the brokerage process, allowing them to compete immediately after coming aboard.” For more information, visit yachtbrokerinstitute.com or send email to rae@yachtbrokerinstitute.com.

HAMPTON YACHT GROUP OF FLORIDA is excited to announce the arrival of the Hampton 830 Motoryacht. This model, with her contemporary design, started attracting attention from the day she arrived. Making her debut at FLIBS she will be joined by the new Hampton 650 Motoryacht in our new show location at Bahia Mar in the north basin. Adding to this, HYGOF also will display the Endurance 658 LRC at Bahia Mar in the south basin. This will be the first time HYGOF will have a presence in both the Motoryacht section and Trawler section at FLIBS 2017.

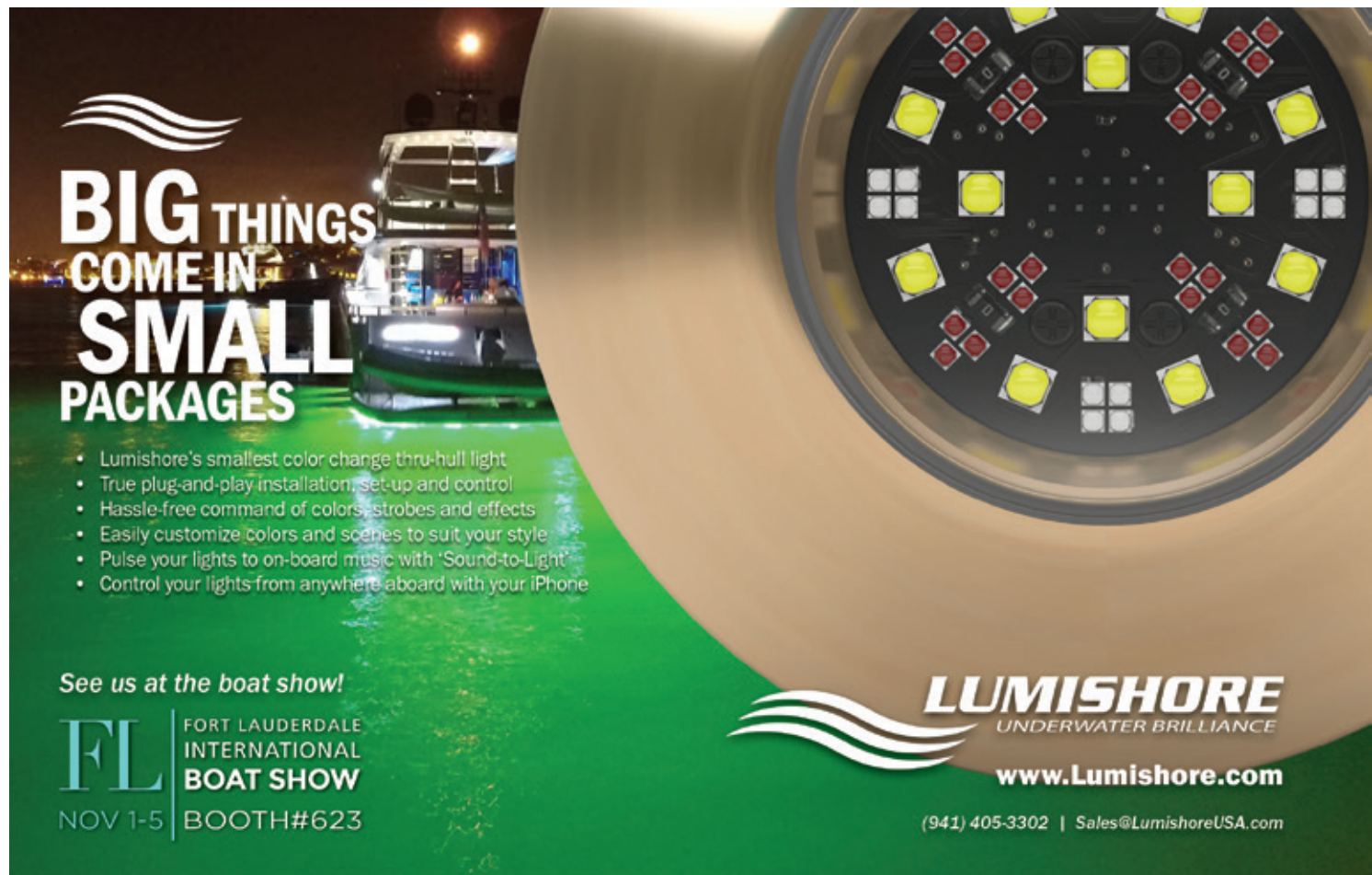
HORIZON YACHT USA announces that the first model of Horizon Yacht’s FD series – the sleek FD85 – will make her much-anticipated U.S. debut at FLIBS from November 1-5, 2017. Boasting a voluminous 23’3 beam, the FD85 offers five en suite guest staterooms + crew quarters aft, spacious main salon and formal dining areas, and an open flybridge. She will be showcased on Dock F, Slips 600-606 and 19-19A alongside five additional Horizon yachts: the RP120, brand new RP110, E88, and the popular PC60 and PC52 models. For more information, please contact Horizon Yacht USA at 561.721.4850 or sales@horizonyachtusa.com.

ISLAND GLOBAL YACHTING (IGY) provided this post-hurricane status update on its marinas as of September 22, 2017:

Fully Operational Marinas:

- Rodney Bay Marina – St. Lucia
- One Island Park Marina – Miami Beach, FL
- Montauk Yacht Club Resort and Marina – Montauk, NY
- North Cove Marina at Brookfield Place – Manhattan, NY
- National Harbor Marina – Washington D.C., MD, VA
- Red Frog Island Beach Resort & Marina – Bocas del Toro, Panama
- Marina Santa Marta – Santa Marta, Colombia
- Marina Cabo San Lucas – Cabo San Lucas, Mexico
- Maximo Marina – St. Petersburg, FL

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Member News

Marinas Currently Under Repair:

- The Marina at Ortega Landing – Jacksonville, FL
- Blue Haven Resort & Marina – Providenciales, Turks & Caicos
- Marina at Yacht Haven Grande – Charlotte Amalie, St. Thomas
- American Yacht Harbor Marina – Red Hook, St. Thomas
- Yacht Club at Isle de Sol – Simpson Bay, St. Maarten
- Simpson Bay Marina – Simpson Bay, St. Maarten.

For more information, please visit www.igymarinas.com

ISOTROPIC NETWORKS, a leading global provider of robust, flexible, highly customized VSAT internet solutions for luxury yachts and yacht charter operations, is proud to announce it is now an IGY Anchor Club Strategic Partner. The IGY Anchor Club Rewards program is the only marina loyalty program for captains or yacht owners. It allows you to accumulate points each time you dock at a participating IGY marina. For more information about IsoTropic Networks, Inc., please visit www.isosat.net.

LENTON YACHTS is pleased to announce new central listing **LADY MAREA**, a four stateroom 94' Lazzara MY 2001. She completed a major refit in 2017 and is easy to show on Las Olas Blvd., Fort Lauderdale. **LADY MAREA** will be featured at the Lenton Yachts display at the upcoming **FLIBS** located Pier 66 face dock, next to the Pelican Restaurant and water taxi drop-off.

We hope all of our colleagues' property and vessels weathered the stressful September.

On a good note, September also brought the closing of **NO NAME 457** Intrepid 2017 and **LADY DELTEC 57'** Carver Voyager 2003, delivered in Illinois. For more information, contact Peter Lenton at 954.868.2733.

NAUTICAL VENTURES GROUP and Schaefer Yachts will debut the Schaefer 510 model at **FLIBS**. "This new model is a departure for Schaefer Yachts," notes Roger Moore, CEO of Nautical Ventures. "This sportive design, by pininfarina studios, has a retractable hard top and a very special internal finish." Schaefer Yachts will be in the water at G-dock, Slips 718-724.

Nautical Ventures Group also announces it has been appointed the official dealer for Blackfin Boats in Broward County.

The group has purchased three commercial ferries from Exxon Mobil Energy for an undisclosed sum. Exxon originally bought the ferries in 2013 for \$6.3 million dollars and they were used to ferry 1.6 million passengers over 3-1/2 years, primarily carrying workers assigned to build the Hubron Project – a Gravity Based Structure (GBS) Oil Rig. "These Exxon ferries were impeccably maintained, very well-built, are all in-class certified, and need little modification to be turnkey for the next owners," states Moore, CEO of Nautical Ventures Group. For more information, please call 954.926.5250. www.nauticalventures.com

OCEAN INDEPENDENCE is excited to be announcing two new additions to the charter fleet. The 151' Delta **AVALON** debuts in November for charter, initially cruising Florida and Bahamas and accommodating 10 guests in 5 staterooms. The yacht is considering a late Winter in the Caribbean, possibly from March on. At the helm is respected and charter-savvy Capt Whitney Reiter, joined by the fantastic **MY JUST ENOUGH** team who transferred over. The toy list will be as good if not exceeding that of the owner's previous charter package. The rate will be published as \$155,000-165,000/wk + expenses.

Also debuting for the first time on the charter market and heading to the Virgin Islands by early December is the 83' Ferretti **DEE DEE LEE**. Sleeping 8 guests in 4 staterooms, this flybridge model will be fully loaded with toys including a 29' Donzi. A subtly contemporary feel aboard and large windows throughout (including the master) make this smaller yacht feel exceptionally large. Her rate is \$35,000-38,500/wk + expenses and she is available for Christmas/New Years in the Virgin Islands.

OVERSEA YACHT INSURANCE is proud to announce the launch of its commercial marine division, operating from the Bahia Mar in Fort

Lauderdale. The new venture will be led by Chris Coleman, commercial marine specialist, who prior to joining Oversea has serviced commercial marine accounts of varying size and complexity. Coleman takes a customer-centric approach to helping clients, ensuring they fully understand their exposures through explanation and education.

"By embracing the educational component, I am excited to help businesses understand their exposures, and create policies that are tailored to their specific needs. This approach will mitigate loss and ultimately reduce premiums for our industry as a whole. I look forward to joining the Oversea team and helping to expand their trusted, family-owned company." Coleman said.

PIER ONE YACHT CHARTERS welcomes to its charter fleet **ARGO NAVIS**, a 75' custom luxury catamaran launched in 2016. The vessel carries a complete crew compliment to include: captain, chef, stew/mate. **ARGO NAVIS** offers three king ensuite cabins, to sleep six guests total. Her combination of shallow draft, wide beam and luxury accommodations with smooth sailing performance make her an ideal combination for island cruising. All Inclusive Charter Rate is \$48,000 USD/week. Please contact Patti Trusel at Pier One Yacht Charters for winter destination and detail at patti@pieroneyachtcharters.com or call 954.258.9799.

TOM GEORGE YACHT GROUP is excited to announce the hiring of its two newest team members. Vic Henderson will be joining the TGYG team as Business/Finance Manager. Vic enjoyed a 20-year career at Barnett Bank, operated several franchise businesses in Northeast Florida, and served four years as the business manager in a high-volume store of one of the world's largest marine dealerships. He loves helping new and experienced boaters navigate through the purchase of their new boat.

Ryan Allen will be joining the TGYG team as a New Product Specialist. Prior to joining the TGYG team, Ryan worked in retail sales, rising to a store manager position. Customer service and satisfaction has always been a driving force in Ryan's work ethic and he strives to make the boat-buying experience a positive and rewarding experience for each of his clients.

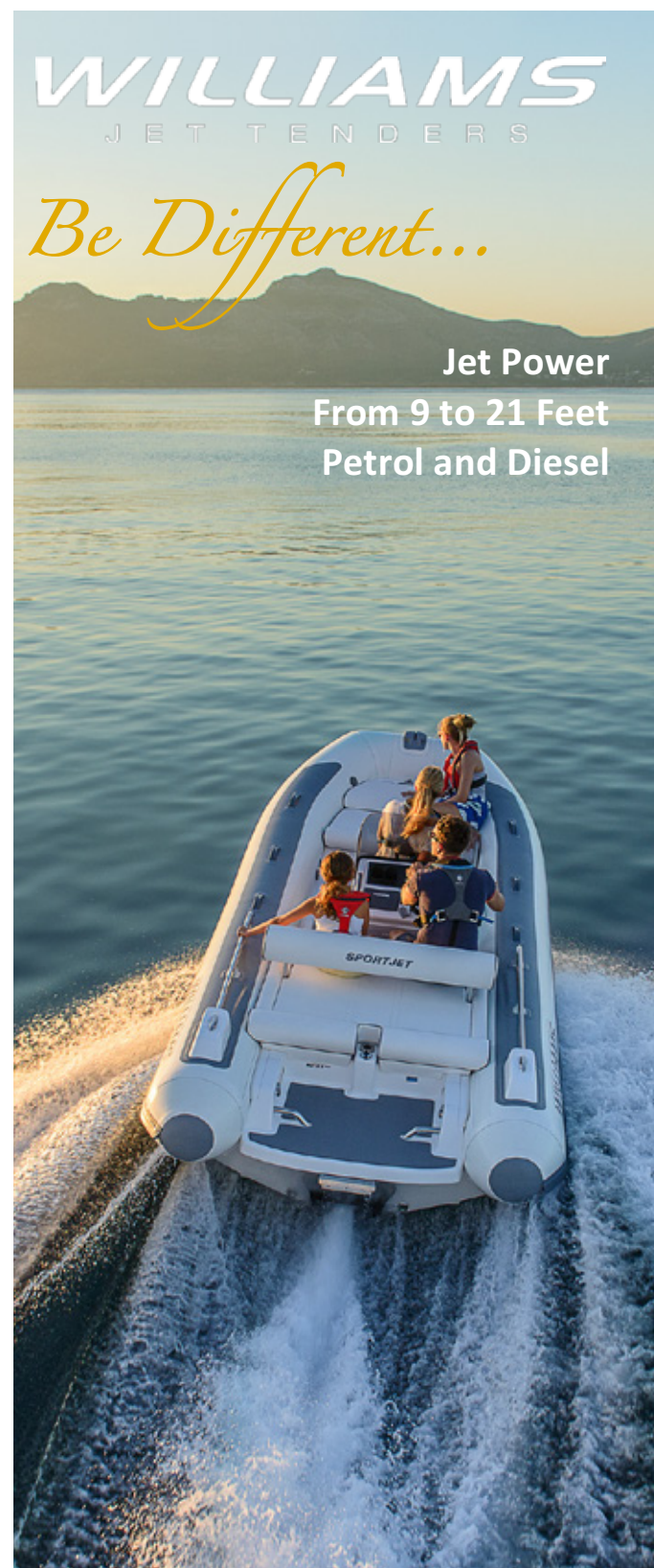
TECHNOMARINE YACHTS reports it had a great summer, with over \$10MM in sportfishing yacht sales, including a 2011 63' Hatteras, 2003 40' Cabo Express, 2006 43' Shearline, 2006 62' B&D and many more.

The company is proud to announce its Florida dealership for Vanquish Boats of Rhode Island and representation of Bonefish Boatworks and Sabalo across Florida. Stop by and see the new 2018 Vanquish Boats at the **FLIBS** – Bahia Mar, A-dock, November 1 – 5, 2017. Technomarine Yachts is looking forward to our expansion in the coming year. For more information, contact: 888.418.3625 or info@technomarineyachts.com.

INGRID ANGLIN of OnlyYacht Superyacht Insurance sends this message: "Greetings All. As many of you know my son, Brody, is my world. You may have heard, in late June Brody was rushed to Joe DiMaggio's Children Hospital where doctors removed a massive brain tumor. We soon learned this to be Medulloblastoma, a rapidly growing aggressive cancer tumor. He was quickly rushed to St. Jude Children's Research Hospital and was accepted into a clinical trial which will consist of about nine months of heavy treatment, with very high hopes and optimism that it will allow longevity in his life. There is not enough praise for the awesome team that saved his life the weekend that changed mine forever and for the team which continues to do so.

I would like to thank the entire yachting community, my clients, brokers and all whom I call my friends for their never-ending support, prayers and good vibes. I would especially like to openly thank OnlyYacht for standing by our side every moment, and Vincent for taking special care of the business and relationships I've spent years building and which mean so much to me.

Brody and I will reside at St. Jude for the next nine months and while we are here, I will put forth great effort to be present in every way possible and continue to help manage my clientele through the tremendous support I am receiving from OnlyYacht. With my greatest gratitude and returned love...thank you all. And with the kindest heart, Ingrid and Brody Anglin."



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Boat Show Preview

Wednesday Is the New Thursday at FLIBS 2017

For the first time, the Fort Lauderdale International Boat Show (FLIBS) will open on a Wednesday and end on a Sunday this year, a move that was met by approval by exhibitors who reported that Monday traditionally is a “dead” day at the event. Wednesday, Nov. 1, is now the “Prime Time Preview” day with a ticket price of \$46.50. On Nov. 2-5, admission will drop to \$29 for adults, and \$12 for children 6-15 years. Children under 6 are free.



Owned by the Marine Industries Association of South Florida (MIASF) and produced Informa Exhibitions, FLIBS is the largest boat show in the world in terms of gross exhibitor space and vessels on display. Here's a look at the show by the numbers:

- 857,000,000-dollar-plus impact on Florida's economy
- 3,000,000-square feet of display space
- 100,000 attendees
- 1,200 boats on display
- 1,000 exhibitors
- 7 show venues.

Informa Exhibitions, which manages 200 exhibitions each year including the Monaco Yacht Show, recently announced plans to enhance the 2017 FLIBS and to support year-round interaction between consumers and exhibitors.

“Informa’s worldwide experience allows us to have a very deep understanding with regard to the unique needs of a marketplace such as FLIBS,” said Mary Bender, vice president of marketing for Informa Exhibitions’ Boating Group. “We feel that we are able to be responsive to the unique needs of the exhibitors and attendees alike and improve the experience for both.”

Informa Exhibitions’ investments will cover numerous aspects of the boat show from infrastructure improvements to innovative



marketing, digital software and hotel-booking solutions. These include new plastic and fiberglass floating docks (half of which will be in place for the 2017 show), new electrical equipment, improved tent flooring, and new trucks. Improved graphics and signage will make navigating the show's seven locations, and locating specific products, easier than ever before.

“The investments Informa Exhibitions is making in infrastructure, technology and the consumer experience will greatly enhance the show's appeal to exhibitors, attendees and sponsors,” said Andrew Doole, general manager of Informa Exhibitions’ Boating Group. In addition, exhibitors, consumers and sponsors will start to benefit from the platforms and resources Informa Exhibitions provides to foster year-round connectivity. An example is the software that helps consumers plan and manage visits to the show with a “walking list” of exhibitors and products. Sales sheets, technical specifications, marketing materials and videos are easily downloadable by consumers year-round, and exhibitors can access information about customer searches for specific products.

The new advertising and marketing approach consists of a multi-channel advertising campaign with location remarketing and elevated involvement in community partnerships. Redesigned sponsorships, focused on value and sponsor ROI, offer a wide range of price points and new opportunities for guest-sponsor engagement.

New hotel contracting resources and planning options offer a mix of hotel brands and locations through an easy-to-manage reservation system with onsite support staff and concierge services for exhibitors and groups.

The Windward VIP Club Experience, located at the Hall of Fame Marina, also will return to FLIBS this year, offering the luxury of a private dining area, a premium open bar, gourmet food and meet-and-greet opportunities to you and your VIP clients. This air-conditioned sanctuary is the perfect place to network, close business, or simply relax between meetings.

Once again, a concierge will be on hand at the Windward Club to help book tour appointments for VIPs on yachts in the show that are available by appointment only. “That was a valuable feature of previous VIP programs,” Bender said. “Delmay Partners will be handling that for us this year.”

Each VIP Club Experience package includes show entry, Windward VIP Club access and access to the water taxi. The daily cost for the Windward VIP Club Experience is \$225 per person.

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Miami Show Update

New Name for Collins Avenue

Event: Miami Yacht Show

New and brokerage yachts will have dedicated display sections in 2018.



IYBA's annual boat show in Miami Beach, Fla., which attracts buyers from around the globe, now has a new name: Miami Yacht Show at Collins Avenue. The name change and new logo reflect the event's position as one of the world's premier in-water luxury yacht shows.

The 2018 edition of the Miami Yacht Show, scheduled for February 15-19, will be the 30th annual edition of the event. It will feature displays of the newest yachts and superyachts built by the world's leading shipyards; hundreds of unique and exciting vessels offered by yacht brokers and charter agents, and a host of marine engines, electronics, accessories, services, and more.

"Like all of our shows, we feel that the Miami Yacht Show is evolving and as such, was ready for name and logo that keeps it consistent with other shows in the portfolio and raises the brand to the next level," said Mary Bender, vice president of marketing, Informa Exhibitions Boating Group, which produces the show for IYBA.

"We believe this name change further establishes the Miami Yacht Show at Collins Avenue as a premier, stand-alone event catering to the international yachting market," said IYBA President Paul Flannery. "It also reflects the many changes and improvements visitors will find at the show in 2018."

Next year's Miami Yacht Show will have a new look and layout designed to deliver superior guest and exhibitor experiences, according to Show Management. The new layout will highlight the show's waterfront location along Indian Creek Waterway as attendees enter through five attractive show entrances, each with navigational graphics and information booth. The yachts on display will be rearranged into dedicated new and brokerage sections, making it easier for showgoers to find the boats that fit their needs and desires.

The show once again will include the exclusive Superyacht Miami location at the Island Gardens Deep Harbour marina on Watson Island, which now accommodates deep-draft vessels up to 500 feet in length. To see the more than 20 superyachts that will be display at Superyacht Miami, interested brokers and show goers can make appointments by contacting exhibitors with yachts at the venue or with Informa.

The Miami Yacht show also will offer an enhanced VIP ticket that brokers may purchase for their clients. "We are planning a new VIP experience at the show based on feedback from attendees and exhibitors," Bender said. "I don't have all the details yet, but you can look forward to hearing more about that in the coming weeks."

Stay tuned to future issues of *Compass* for more updates on the 2018 Miami Yacht Show. "We do have some exciting changes in the works, but [until] details are finalized, I'm not able to discuss them at this time!" Bender said. "Keep an eye out though. We'll be sending out that information in the near future."



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Pamela Jones Photography courtesy of Turquoise Yachts

Digital Marketing Strategies

Digital marketing today allows advertisers to target advertising and promotions in ways that seemed impossible even 10 years ago. Thanks to advances in digital marketing, yacht brokers and dealers can find potential new customers online and target them with positive messages about boating and their brands that ultimately can increase sales.

That was the message that Jonathan Brownfield, CEO of Lift Digital Media in Fort Lauderdale, Fla., conveyed during his presentation at the IYBA's 2017 East Coast Yacht Sales Summit in June. The 30-year-old Brownfield has spent 10 years working on digital strategies and has been ranked in the "Top 40 Under 40" by two magazines. He has developed digital strategies for companies of all sizes, including several Fortune 500 organizations.

It all begins with getting to know your customers and their specific boating interests through their online browsing and shopping habits – even their messaging – in order to discover which ones actually might be interested in buying a yacht. Are they male or female or married, single or divorced? Do they have children? What are their ages?

"The reason all this is important is if you can talk to your customer and show them relevant messaging information directed to that audience, they're ten times more likely to buy from you," Brownfield said. "So, a 30-year old wants to see a bunch of girls in bikinis drinking shots on a yacht, whereas a 55- or 65-year-old grandmother wants to see the whole family getting together aboard a yacht and having a nice family vacation that's very PG."

The next step, he continued, is finding out how reach these online users with targeted digital messaging.

Marketing studies decades ago found that potential customers needed to interact with a company's brand at least three times before they would commit to a purchase. Today, Brownfield said, studies show that it takes eight interactions to motivate a purchaser. "What that means for us is that we need to go ahead and touch these people multiple times and in multiple ways in order to get them to build that relationship," he said.

There are a number of ways to reach these consumers using the Internet and social media, according to Brownfield. His favorites are:

- Social Media
- Search Engine Marketing
- Display Advertising
- Video.



BY GARY BECKETT, Turnkey Communications & PR, Inc.

Social media, he said, is an excellent way to sell the boating/ yachting lifestyle that can be very impactful with younger consumers who aren't necessarily interested in owning a boat. "So, we can build social media content that shows that experience in a visual way by using photos or pictures," he said. "They'll be much more engaged with it and click through."

On a Facebook page, for example, if the content resonates, people can "like" or share the page, making it visible to other people. Advertising also can be tailored to the interests of a particular consumer in order to catch their eye.

In Search Engine Marketing, developing the right key words is critical. They should be relevant to an advertiser's landing page. "So if you're talking about buying a yacht and chartering in the Bahamas in the ad, you need a landing page that talks about what to do in the Bahamas to keep it relevant and engaging for your audience," he explained.

In display advertising, Brownfield said that data segments based on people's search habits, their online behaviors and conversations can be used to target consumers. All this can be pulled into the display ads, which either can be static or have animation in order to make them more active.

Brownfield says video is a useful tool for our industry because you can post a virtual tour of a particular yacht.

The final piece of the puzzle is your website. Make sure it's formatted for smartphones, tablets and other viewing media. Also, it's important to ensure the website includes a "call to action" that will motivate the viewer to contact you for more information.

Digital marketing really works. Brownfield said his agency was able to quadruple one broker's leads using digital marketing and online advertising.

The future is here, and it's on the web.

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Why Build in Holland?

Dutch yachts and shipyards are perceived as being the best in the world. Where does this reputation come from? What makes Holland such a special place to build yachts?

It has to do with history, geography and most importantly, culture. The English word “yacht” comes from the Dutch word “jacht” which means “chasing”. In the 17th century, Holland was the most powerful shipping and trading nation in the world. When the cargo ships came back from their voyages to the Far East, the wealthy ship owners in Amsterdam used a fast chasing boat (jacht or yacht) to welcome their ships, in order to find out what merchandise they brought home. Like wealthy businessmen today, the ship owners had a competitive nature and soon started to race each other in their chase boats.

Over time, the yachts became more and more luxurious to reflect the success and wealth of their owners. When England’s King Charles II visited Holland in 1660, he was given the 50-foot yacht Mary as present by the City of Amsterdam. He had it sailed back home, which this is how yachting was introduced to England.

After the Russian Czar Peter the Great visited Holland in 1697, he brought back Dutch knowledge about shipbuilding but also the passion for yachting. On April 4th of 1718, the czar opened the yacht club Nevsky Flot in St. Petersburg, two years before the opening of the Royal Cork Yacht Club in England (which claims to be the first yacht club in the world).

Today, most European yachts are built in countries around the Mediterranean with its beautiful summers and relatively calm seas. Boating there is very appealing and easy. The North Sea, however, is one of the most difficult seas to sail, with violent winds, strong currents and dangerous shallows in unexpected areas. Every yachtsman sailing the North Sea quickly learns to respect the forces of nature. To return his yacht safely to port, he has to be well prepared. In Northern Europe, a pleasure boat needs to be built sturdy and the systems have to be very reliable. This is the reason why yachts constructed in Holland, Sweden, Finland, and other northern countries are built to such high quality standards.

Holland is also called the “Lowlands”. For a long time, large parts of the country were flooded regularly. More than 1,000 years ago the Dutch started to build dikes. At that time, there was no government in place with enough money and authority to build these large constructions. So the people took the responsibility

BY HEIN VELEMA, Founder, mcPROGRESS

into their own hands and decided to join forces and build the dikes themselves. Every village was equal and contributed through mutual cooperation until these enormous infrastructures were completed.

This cooperative attitude became the key to success for the Dutch and part of their culture. The 17th century Dutch East India Company was a result of competing traders joining forces to gain a trade advantage in the Far East. Later in the history of Holland there are many other examples where cooperation has led to success. The cooperative attitude has resulted in a society where everyone is equal.

What does this mean for yacht building? Yachts are very complex and involve different disciplines from engineering, construction and piping to interior decor to painting. To create top quality, all those different craftsmen need to be qualified, motivated and take responsibility for what they do. But the different types of craftsmen also are very dependent on each other. You can only create the best quality if you all work toward the same goal. The egalitarian culture supports the collective responsibility as no other.

In Holland, the foremen have a great influence on how the yachts are built. With the egalitarian culture, the position of foreman is as important as the directors of the company. Technical decisions cannot be made without the consent of the people who actually understand their consequences. This leads to very motivated craftsmen who take responsibility for the quality of the work they deliver, not as an individual but as a team. And they take great pride in that.

Recently, I saw an interesting video about Feadship which started with the following quote: “At Feadship we don’t say Yes.....or Maybe.....if we mean No.” Dutch people are often very direct, but also honest and transparent. For outsiders, this might sound impolite or even rude sometimes. But everyone who has been involved in yacht building understands that clear communication is crucial to achieve a good end result.

The reputation of the Dutch yacht builders is based on the quality of yachts they have delivered over time. To understand the background, you have to appreciate the rich history and the geographical position of the country, but mostly you have to understand the people. Every broker should take the time to visit the Dutch yards, appreciate the quality of the facilities, and meet the people. When you fly to Holland, you land in Amsterdam which has one of the best maritime museums in the world. And as most brokers already know, Amsterdam has a lot more to offer than culture....



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Third Quarter 2017 Brokerage Sales Report for the U.S., Europe and Florida*

YachtWorld Report: Q3 2017 Brokerage Sales Rose Modestly Worldwide.

Europe remains strong YOY with growth, however the U.S. is now down in overall boats sold. We had seen the value and average value up through Q1 & Q2, but at the moment, even that has taken a downward turn. Other than seasonality, we do have some theories for the decline overall (Hurricane Harvey in Texas & the Southeast).

Florida at this moment is still selling more volume than last year, but the value and average value has dropped as well. We will be monitoring Florida closely expecting a similar dip from Hurricane Irma to take place later this month and into Q4.

U.S. 3RD QUARTER 2017 BROKERAGE SALES WERE AS FOLLOWS, COMPARED WITH THE 2016 PERIOD:

	2016	2017	% Change
Boats Sold	27,941	26,739	-3.70%
Value of Boats Sold - USD	\$3,106,325,338	\$2,643,610,351	-14.90%
Avg Boats Value - USD	\$87,138.84	\$85,266.75	-2.14%
Value of Boats Sold - EUR	€72,927.20	€71,369.51	-2.14%

EUROPEAN 3RD QUARTER BROKERAGE SALES WERE AS FOLLOWS, COMPARED WITH THE 2016 PERIOD:

	2016	2017	% Change
Boats Sold	6,169	6,533	5.9%
Value of Boats Sold - USD	\$1,003,080,854	\$1,240,647,344	19.1%
Avg Boats Value - USD	\$162,600	\$189,905	14.4%
Value of Boats Sold - EUR	€135,822.11	€158,632.87	14.4%

FLORIDA 3RD QUARTER BROKERAGE SALES WERE AS FOLLOWS, COMPARED WITH THE 2016 PERIOD:

	2016	2017	% Change
Boats Sold	5,971	6,210	3.85%
Value of Boats Sold - USD	\$1,250,772,540	\$1,094,647,087	-12.5%
Avg Boats Value - USD	\$209,475	\$176,272	-15.8%
Value of Boats Sold - EUR	€175,124.78	€147,366.48	-15.8%

*This report should be used for comparative analysis for period sales. This information reflects only those sales recorded in YachtWorld's database.

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Mother Nature at Her Finest *This sample 10-day charter trip from Costa Rica to Panama makes for an unforgettable eco-vacation.*

Tournament-level sports fishermen and eco-tourists are equally aware of the allure of the Pacific coasts of Costa Rica and Panama, where land and sea are rich with exotic flora and fauna. Rainforests, desert islands, volcanic backdrops and white sand beaches are abundant here, as are land and sea creatures of all descriptions. Although the distances between stopovers are longer than on “milk run” charter itineraries in the Med and Caribbean, the sights and the sports available here are worth the time guests will spend at sea. For some, the highlight of the trip will be to continue the voyage through the newly improved Panama Canal.



Panama Canal

Day 1:

Arrive by air into San Jose, Costa Rica’s main airport (SJO), which offers the most direct flights. Alternatively, there are smaller airports closer to where guests will meet the vessel in Quepos, gateway to Manuel Antonio National Park. This area offers some of the most spectacular beaches in Costa Rica, as well as lush wilderness with plenty of opportunity for monkey and three-toed sloth sightings, and so much more.



BY DAPHNE D’OFFAY, Senior Charter Manager, OCEAN INDEPENDENCE

Days 2 & 3:

Cruise (at night if allowed) 95nm south to Gulfo Dulce/Osa Peninsula, an area unreachable by road. Experience rainforests, waterfalls and/or horseback riding on the beach – all part of Corcovado National Park.



Days 3 & 4:

Cross into Panamanian waters by cruising another 100nm toward the Chiriqui Archipelago. Enjoy amazing snorkeling experiences off Coiba Island (part of Coiba National Park, an UNESCO Heritage Site). Paddleboarding, kayaking, and snorkeling around Coiba are once-in-a-lifetime experiences thanks to the vast amount of marine life. In fact, this is the only place where visitors have spotted the “swimming” three-toed sloth. It’s well worth spending an extra day here to explore the area by tender.



Isla Coiba



Isla Coiba

Days 5 & 6:

Although the cruising distance to Las Perlas is longer at 170nm, the trip can be broken into two segments by exploring the Los Santos Province at the midpoint. Fishing in the region is top-notch and the eco-tour options are abundant – Isla Canas and Isla Iguanas are great for paddleboarding, kayaking, snorkeling, and even zip-lining for the more adventurous.



Days 7 & 8:

Las Perlas’ crystal blue waters are thriving with marine life. Whales, dolphins and turtles are only a few of the many sea creatures guests will likely see here. This is a group of more than 200 islands offering more than one day’s worth of exploration or relaxation on the white sand beaches. The geography here is very different than the Costa Rican and Panamanian coastline, which tend to be more volcanic and rugged. The main islands of Del Ray and Contadora are frequented by tourists, while most of the other islands are uninhabited and peaceful.



Day 9 & 10:

Speaking of once-in-a-lifetime experiences, the Panama Canal is only about 40nm from Las Perlas. Panama City is an easy departure point, or guests may choose to transit the canal, stopping at the Smithsonian Institute where with permission, vessels may anchor overnight and enjoy a tour. If you are continuing through the canal and want to extend the charter to 14 days, a trip through the San Blas Islands on the other side would be a perfect ending to this spectacular journey!



Panama Canal

Giving Back

Hurricane Relief Efforts

YBA members and other industry professionals are sending aid to islands devastated by the recent hurricanes.

Here's how you can help.

Hurricanes Harvey, Irma and Maria not only brought death, destruction and deprivation to the Caribbean from the Leeward Islands to Sint Maarten – where many of the world's superyachts home-port during the winter season – to the Turks and Caicos, the Florida Keys and barrier islands along the South Florida and Texas coasts, but also, in the long term, will impact the yachting industry as a whole. Cruising to these islands with their rich history, varied cultures, spectacular scenery and abundant marine life is part of the reason that owners purchase and charter yachts from us – and frankly, why many of us got into this industry in the first place. So, it's only natural that many IYBA members and other marine professionals are doing their utmost to help these destinations and the people who live there to recover from the storms.

"This is a very sad time for those of us fortuitous enough to have traveled and lived in these cherished places," said former IYBA President Gary Smith of SYS Yacht Sales, who has started the Island Hurricane Disaster Relief Fund GoFundMe site to help with the relief efforts in the Caribbean's down islands. Gary, who is a pilot, also has been flying much-needed provisions and supplies personally to down islands like Dominica that have few government resources to depend on and have suffered the biggest brunt of the devastation.

"For this endeavor, we are working independently without an allegiance to one specific organization, giving us the flexibility to choose the organizations and relief efforts we feel are answering the direct needs of affected communities in the best possible way," he posted. "With this approach to giving, you can be certain that 100% of what we receive will go towards response efforts, as we have no 'overhead' and anyone involved will be doing so as a volunteer." To read Gary's updates, donate or volunteer, please visit www.gofundme/islandhuricanerelief, call Gary at 941.321.1705 or email gary@sysyacht.com.



BY LOUISA BECKETT, Turnkey Communications & PR, Inc.

The IYBA's Charter Professionals Committee also is actively involved in hurricane relief efforts. "We have voted on Samaritan's Purse as the charity [to support], primarily due to their immediate efforts on the ground in Sint Maarten initially," said Committee Co-Chair Daphne D'Offay of Ocean Independence. "Since then, they have completed a mission in Turks and Caicos plus they have ongoing relief occurring in Antigua, Barbuda, Dominica, Puerto Rico and Florida. Their accountability and transparency has been noted as very high on sites like charitynavigator.com and charity-watch.com, plus they have received newsworthy recognition from sources like the New York Times, NBC, CNN and more for their first-response efforts to Hurricane Irma (and Maria)...." She added, "Their website has several videos and news articles that clearly depict the reality of their efforts across the Caribbean. For more information, please visit www.samaritanspurse.org.

Ann McHorney of Select Yachts posted this plea for help for Dominica on the IYBA website: "On Monday, September 18th, Category 5 Hurricane Maria struck the beautiful island of Dominica with full assault. As one of the poorer of the islands, much help is needed there for people to survive the upcoming days. A group has been formed to get supplies to the island and to extract the neediest people from the island, such as injured and at-risk people.

"We are working through the kind aid of International Rescue Group, the islands of Grenada and St. Lucia, the local yachting communities, the most generous Captain Mike on tug FLYING BUZZARD, and Captain Dave Bean of MAJESTIC SPIRIT catamaran. Assistance from Grenada has been enormous with fueling, 50 tarps, 4 doctors and countless supplies donated.... St. Lucia is also a staging ground for FLYING BUZZARD tug and some private, cruising, and charter yachts taking supplies and moving people. All taxes on goods entering have been waived by the Dominica government.... Fund donations are much appreciated and all donations are under supervision of a controller arranged on Grenada. If anyone can help with services as well, please feel free to contact ann@selectyachts.com."

IYBA has created a page on its website at <https://iyba.yachts/causes.cfm> where members may share information about other charitable associations that effectively are providing hurricane relief during this time when our help is needed in so many of the places that we love.



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Charter Open House

AUGUST 9, 2017

Bahia Mar, Fort Lauderdale

More than 70 yachting industry professionals attended the August Charter Open House at Bahia Mar Yachting Center. There were 5 participating yachts ranging in size from 101' to 157'. Charter brokers enjoyed the opportunity to tour these yachts, many for the first time; meet the crews, and network with each other.

Yachts in Attendance

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Brokers Open House

SEPTEMBER 21, 2017

Bahia Mar, Fort Lauderdale

More than 150 yachting industry professionals attended the September Brokers Open House at Bahia Mar Yachting Center. There were 16 participating yachts ranging in size from 31' to 138'. Yacht brokers enjoyed the opportunity to tour these yachts, many for the first time; meet the crews, and network with each other.

Yachts in Attendance

BOWER	LUXURIA
CROWN JEWEL	NO NAME
GIGI	SATU
GRACE	SILVER OAK CELLARS
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