

MINUTES  
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL

February 15, 2005  
10:00 A.M. Eastern Time

Toll Free 877.651.3473 or Direct 850.413.9245

**Call to Order**

Mr. Gonzalez, Chair called the meeting to order at 10:03 a.m.

Board Members Present:

Ellis Bullock  
Rick Gonzalez  
Neil Hall  
Stephen Schreiber  
Mary Jane Grigsby  
Kenneth Horstmyer  
Garrick Gustafson  
Miguel Rodriguez  
Joyce Shore  
Sharon Del Bianco

Board Member Absent:

Roymi Membiela

Others Present:

Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Juanita Chastain, Executive Director  
Terri Estes, Government Analyst  
Harold Langbehn  
Norma Jean Langbehn  
Thomas Bevis  
Jerry Hicks  
Les Smith  
Emory Johnson  
Trent Manausa  
John Sather  
Sharon Laird

**Disciplinary Case**

## Motion for Order Waiving Formal Hearing

DBPR vs. Harold Langbehn  
Case Number 2004-038559  
(Rodriguez, Wirtz, and Hall)

Mr. Langbehn was present. Mr. Minacci presented the case and commented that Mr. Langbehn was served with an administrative complaint October 7, 2004 for failure to comply with a lawful order of the board. He commented that he failed to pay a \$750 fine plus \$270 within 30 days. He commented that he responded but never disputed the fact that he did not pay the fine or costs and that was the only issue before the board. He requested that the board enter an order finding Mr. Langbehn in violation. He commented that the probable cause panel recommended revocation of his license.

Mr. Minacci commented that Mr. Langbehn clearly did not comply and refused to recognize the final order of the board. He commented that Mr. Langbehn had made no attempt to pay the amount or appeal the final order.

Mr. Langbehn commented that the board's order was in violation of federal law. Portions of the tape were inaudible.

Mr. Minacci advised that all correspondence he received from Mr. Langbehn was in the board's agenda materials. He commented that the only issue before the board was whether Mr. Langbehn had paid the fine or costs of the previous final order.

Mr. Langbehn commented that he was not guilty of the final order therefore he should not have to pay the fines or costs.

Ms. Clark commented that the board should determine whether Mr. Langbehn waived his right to dispute the facts by disputing them with 21 days of service then they could address the penalty.

Mr. Minacci referred the board to the agenda materials which reflected that the administrative complaint was served via certified mail on October 13, 2004. He commented that the board had all of Mr. Langbehn's correspondence and nowhere did he dispute the fact that he had not paid the fines or costs from the previous final order.

Mr. Langbehn commented that the original final order was illegal and he responded in detail. He commented that Florida was fraudulently led astray by South Carolina. He commented that he had tried to contact the board. He commented that he met with a Judge in South Carolina that suggested the conviction was going to be overturned because he was exempt. He commented that his case in South Carolina was sent back to the South Carolina board for reconsideration.

Mr. Gonzalez asked Mr. Langbehn if he was practicing in Florida. Mr. Langbehn replied that he had one project in Florida.

Mr. Minacci commented that Mr. Langbehn should have appealed the first final order which was based on the action taken by the South Carolina Board. He commented that he had written Mr.

Langbehn numerous times requesting information regarding the alleged discrimination between the South Carolina Board and Judge's decision. Mr. Minacci commented that he had received no evidence of Mr. Langbehn's claim.

Mr. Minacci commented that Mr. Langbehn was disciplined by the South Carolina Board therefore Florida filed a case against him. He commented that the Florida board served an administrative complaint, imposed discipline, and entered a final order based on the South Carolina discipline. He commented that Mr. Langbehn had 30 days to appeal that final order and raise any discrimination, lack of jurisdiction, etc. He commented that Mr. Langbehn did not appeal the Florida final order therefore it was final and he was required to pay fines and costs and he had refused to do so. He commented that the only issue before the board today was whether Mr. Langbehn had paid the fines and costs of that final order.

Mrs. Langbehn commented that he was not guilty of the issue in South Carolina.

Motion: Mr. Gustafson moved to accept the findings of fact and that the respondent failed to respond within 21 days.

Second: Mr. Hall seconded the motion.

Mrs. Langbehn commented that Mr. Langbehn was not guilty of the charges.

Mr. Bevis commented that Mr. Langbehn received an order from Judge Gaither and asked if the board had that material. Ms. Clark replied in the positive.

The question was called and it passed unanimously.

Motion: Mr. Bullock moved to revoke the license.

Second: Mr. Hall seconded the motion and it passed unanimously.

Mr. Rodriguez and Ms. Shore joined the call at 10:22 a.m.

### **Request for Time Extension**

Paul Spung

Mr. Spung was present and represented by Mario Romero. Mr. Romero commented that Mr. Spung filed the request for time extension. He commented that on November 22, 2004 the board held a meeting at which time they denied Mr. Spung's application. He commented that Mr. Spung received the notice of intent to deny December 7, 2004 and he filed a request for time extension on December 27, 2004. He commented that since that time Mr. Spung had retained his services and they were requesting an extension to allow time to review the case. Mr. Romero commented that he would be able to file a petition by February 27, 2005.

Motion: Mr. Hall moved to accept the request for time extension until February 27, 2005.

Second: Mr. Schreiber seconded the motion and it passed unanimously.

### **Application Review**

Sharon Laird (interior design endorsement)

Ms. Laird was present. Mr. Minacci commented that there was a pending disciplinary case against Ms. Laird that would be heard by the probable cause panel at its next meeting. Ms. Laird advised that she would waive her Section 120.60, F.S. processing rights to allow time to resolve the disciplinary case.

Motion: Mr. Rodriguez moved to table the application until the disciplinary matter was resolved.

Second: Ms. Grigsby seconded the motion and it passed unanimously.

John Sather (architecture endorsement)

Mr. Sather was present. Mr. Hicks presented the application and commented that the applicant did not have the required accredited degree. He commented that he had a 4 year degree from Frank Lloyd Wright.

Ms. Clark commented that Mr. Sather was applying based on his Arizona license issued in 1983. She commented that the board was charged with determining whether the laws in Arizona at the time of licensure were substantially equivalent to those in Florida. She commented that to be eligible for licensure in Florida he would need a 5 year degree. Mr. Rodriguez commented that he might be eligible for licensure under the NCARB endorsement route with 5 educational credits.

Ms. Clark advised Mr. Sather that his application could be denied today or he could request to withdraw his application.

Mr. Sather requested to withdraw his application.

Ms. Del Bianco joined the conference call.

### **Ratification Lists**

Licensure list (faxed/e-mailed)

Ms. Chastain verbally added Mr. Robert Laconis from Altamonte Springs, FL to the list of Architecture applicants by passage of examination.

Architecture Applicants by Passage of Examination

Items 1-14

Motion: Mr. Rodriguez moved to approve items 1-14.

Second: Mr. Gustafson seconded the motion and it passed unanimously.

Architecture by Endorsement

Items 15-50

Motion: Mr. Rodriguez moved to approve items 15-50.

Second: Ms. Shore seconded the motion and it passed unanimously.

Threshold Inspector

Item 51

Motion: Mr. Rodriguez moved to approve item 51.  
Second: Mr. Hall seconded the motion and it passed unanimously.

Architect Business applying for Interior Design Business  
Item 52

Motion: Mr. Schreiber moved to approve item 52.  
Second: Mr. Gustafson seconded the motion and it passed unanimously.

Architecture Individual applying for Interior Design License  
Item 53

Motion: Mr. Schreiber moved to approve item 53.  
Second: Mr. Rodriguez seconded the motion and it passed unanimously.

Architecture Business  
Items 54-59

Motion: Mr. Rodriguez moved to approve items 54-59.  
Second: Ms. Shore seconded the motion and it passed unanimously.

Interior Design by Endorsement  
Items 60-65

Motion: Mr. Schreiber moved to approve items 60-65.  
Second: Mr. Rodriguez seconded the motion and it passed unanimously.

Interior Design Business  
Item 66

Motion: Mr. Rodriguez moved to approve item 66.  
Second: Ms. Shore seconded the motion and it passed unanimously.

Continuing Education

Motion: Mr. Bullock moved to approve the list as presented.  
Second: Mr. Gustafson seconded the motion and it passed unanimously.

Review and Approval of Minutes  
December 30, 2004 Telephone Conference Call

Motion: Mr. Gustafson moved to approve as presented.  
Second: Mr. Schreiber seconded the motion and it passed unanimously.

**For Information**

## Interior Design Statute Rewrite

### **Application Review**

Cannon Design

Mr. Minacci commented that this application was pulled from the ratification list based on the fact that there was a disciplinary case pending which had been resolved.

Motion: Mr. Bullock moved to approve the application.

Second: Mr. Rodriguez seconded the motion and it passed unanimously.

### **Discussion**

Letter from Jacqueline Williams

Response from Mary Ellen Clark, Board Counsel

For the board's information.

### **New Business**

Mr. Hall commented that there was a contractor manual that contained all of the laws that pertain to that profession. He commented that he would like to see the same for architects and interior designers.

Ms. Del Bianco commented that House Bill 0699 passed through the first committee.

### **Old Business**

No old business.

### **Adjourn**

The meeting adjourned at 10:54 a.m.