

Minutes

**Board of Architecture and Interior Design
And
Florida Board of Professional Engineers
The Shores Resort & Spa
2637 South Atlantic Avenue
Daytona Beach Shores, Florida 32118
(386) 767-7350**

**February 11, 2015
9:00 a.m.**

General Business

Mr. Rodriguez, Chair, Board of Architecture and Interior Design, called the meeting to order at 9:04 a.m.

Board of Architecture and Interior Design Members Present:

Miguel Rodriguez, Chair
Jonathan Toppe, Vice Chair
John Ehrig
Francisco "Frank" Costoya
Hector Fernandez
Aida Bao-Garciga
Kenan Fishburne
J. Emory Johnson
Dylan Rivers
James Blanz
Ivette O'Doski

Board of Professional Engineers Members Present:

William Bracken, Chair
Anthony "Tony" Fiorillo, Vice Chair
John Burke
Warren Hahn
Roland Dove
John Pepper
Kenneth Todd
Michelle Roddenberry
Nola Garcia
Vivian Boza

Others Present:

Mary Ellen Clark, BOAID Counsel
Michael Flury, FBPE Counsel
David Minacci, BOAID Prosecuting Attorney
John Rimes, FBPE Prosecuting Attorney
Ruthanne Christie, BOAID Acting Executive Director
Zana Raybon, FBPE Executive Director and FEMC President
Terri McEwen, BOAID Government Analyst
Rebecca Sammons, FBPE Executive Assistant
G.W. Harrell, DBPR, Director of the Division of Professions
Drew Winter, DBPR, Deputy Director of the Division of Professions
James Schock, Florida Professional Engineer and Building Official
Charlie Geer, Florida Engineering Society
Michael Wirtz
Trent Manausa
Greg Burke, AIA Florida, Vice President for Advocacy and Legislative Affairs
Vicki Long, AIA Florida, Executive Vice President
David Roberts, Public Policy Advisor, Ackermann LLP, representing ASID

Court Reporter:

Volusia Reporting Company, 432 South Beach Street, Daytona Beach, Florida 32114. Telephone 386.255.2150

Regulate Fairly and Efficiently, Regulatory Items, and Laws and Rules

Mr. Rodriguez opened the meeting with thanking everyone for coming together for the meeting to discuss issues affecting both professions.

Mr. Harrell addressed the boards and thanked them for coming together to discuss pertinent issues.

Mr. Rodriguez presented how the Board of Architecture and Interior Design investigates and disciplines unlicensed activity cases specific to engineers aiding and abetting the unlicensed practice of architecture.

Mr. Bracken commented that the meeting was an opportunity to come together and better understand what each board faces with professional practice and how each board processes unlicensed activity.

Each board presented how they process and investigate complaints specific to unlicensed activity cases and where they come from i.e. the public or building departments.

The boards reviewed and discussed a guide called “A Building Official’s Guide to the Professional Practice of Architects and Engineers in Florida”.

Mr. Hahn commented that he agreed with the guide's concept but it needed updating and he suggested incorporating the language in a statute or rule.

Mr. Bracken commented that there would be no resolution today but it was beneficial to come together to discuss the issues and continue to work together in the future.

Mr. Rodriguez clarified that the Board of Architecture and Interior Design dealt with cases that included architects and engineers aiding and abetting the unlicensed practice of architecture. Cases involving engineers are referred to the Florida Board of Professional Engineers for review. Engineers' cases are within engineering or involve contractors not necessarily architects.

Mr. Schock commented that as a building official he has filed complaints with both boards and has had challenges with defining "incidental use".

Mr. Geer suggested outlining a standard that engineers can follow to avoid disciplinary action because the statutory language was vague.

The boards agreed that there was a need to move forward jointly.

Mr. Bracken provided examples of professional overlap that engineers encounter and the engineering board works to combat that through continuing education. He would like to see the boards work together to resolve the issues.

Mr. Burke congratulated the boards for coming together to resolve issues and provided an example of the need to further define the practice overlap to protect the health, safety, and welfare of the public.

The boards discussed the need to research the ability to develop statutes or rules to clarify incidental practice and that it would be an ongoing process involving the associations and other professions.

After further discussion the following motion was made.

Motion: Mr. Ehrig moved that the boards form a joint committee of three members from each professional board to meet on a semi-annual basis to discuss roles, responsibilities, practice overlap, and the definition of architecture to assist building officials with clear guidelines on issuing permits; then invite the building officials to the meetings at a later date.

Second: Mr. Fernandez seconded the motion.

The boards discussed incorporating the joint committee meetings with regular board meetings. The Board of Architecture and Interior Design will include an interior designer on the joint committee. The goal is to work toward a concept then approach statutory or rule implementation. The boards discussed using the “A Building Official’s Guide to the Professional Practice of Architects and Engineers in Florida” as a guide and other publications to address and resolve the issues.

The question was called and it passed unanimously.

Construction Contract Administration

The draft language provided was proposed for Chapter 481, Florida Statutes.

Mr. Pepper commented that he was not in favor of the proposed language and does not agree with the architect’s interpretation of what services an engineer can or cannot perform regarding habitable buildings.

The boards discussed that the language would not prevent an engineer from performing engineering duties. The language only clarifies that an architect would see a project through to completion. In order to ensure the project is built according to the permitted plans.

Mr. Harrell reported that the department did not put forth a Profession’s Bill this Session.

Mr. Bracken commented that there was no professional protection in the form of Good Samaritan Laws in Florida for First Responders to disasters. He would like the joint committee and/or the associations to research and resolve.

Ms. Long reported that she received language from New Jersey that would provide some protection to professionals volunteering in a First Responder capacity. If the opportunity arises they will present the language this Session. The majority of disaster assessors are trained and certified in California because they are the only state that offers professional protection. Mr. Bracken requested that AIA Florida keep FBPE updated on the language and AIA Florida’s efforts.

Mr. Schock provided comments regarding the upcoming meeting scheduled February 17, 2015 with the Board of Architecture and Interior Design, Florida Board of Professional Engineers, and the Building Code Administrators and Inspectors Board as well as additional memorandums and letters in support of architects and engineers performing plans review and inspection services as defined in Section 471 and 481, Florida Statutes.

The boards discussed different scenarios surrounding legal and logical needs for additional licensure or not.

Mr. Fiorillo requested that the joint committee review aligning the requirements for special inspector and their authorized representatives.

New Business

No new business.

Adjourn

Motion: Mr. Ehrig moved to adjourn the meeting.

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

The meeting adjourned at 11:04 a.m.

Minutes

**Board of Architecture and Interior Design
The Shores Resort & Spa
2637 South Atlantic Avenue
Daytona Beach Shores, Florida 32118
(386) 767-7350**

**February 11, 2015
1:00 p.m.**

General Business

Call to Order

Mr. Rodriguez, Chair, Board of Architecture and Interior Design, called the meeting to order at 1:07 p.m.

Board of Architecture and Interior Design Members Present:

Miguel Rodriguez, Chair
Jonathan Toppe, Vice Chair
John Ehrig
Francisco "Frank" Costoya
Hector Fernandez
Aida Bao-Garciga
Kenan Fishburne
J. Emory Johnson
Dylan Rivers
James Blanz
Ivette O'Doski

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Trent Manausa
Michael Wirtz
Cynthia David, President Elect IIDA
Douglas Feldman
Jacqueline Drake
David Roberts, Public Policy Advisor, Ackermann LLP, representing ASID

Court Reporter:

Volusia Reporting Company, Sharon Dunlap, 432 South Beach Street, Daytona Beach, Florida 32114. Telephone 386.255.2150

The board briefly discussed the joint meeting with the Florida Board of Professional Engineers. Ms. O'Doski joined the meeting at 1:13 p.m.

- Motion: Mr. Ehrig moved that the board establish a joint committee or task force of two architects and an interior designer to meet semi-annually.
- Second; Ms. Bao-Garciga seconded the motion and the motion passed unanimously.

The board stated on the record, that they request travel funds to hold the joint meetings semi-annually. Mr. Rodriguez appointed himself, Ms. Bao-Garciga, and Mr. Ehrig to the task force.

The board briefly discussed the upcoming meeting scheduled February 17, 2015, in Tallahassee with the Building Code Administrators and Inspectors Board, Board of Architecture and Interior Design, and the Florida Board of Professional Engineers. The meeting is specific to the memorandum issued by Clark Jennings that states an architect or engineer working as an employee with the building department needs separate licensure per Section 468, Florida Statutes.

After discussion the board supports that Section 481, Florida Statutes, allows an architect to serve in that capacity without additional licensure.

Request for Board approved curricula per Rule 61G1-22, F.A.C.

Seminole State College of Florida
B.A.S. and A.S. Interior Design Program

The board reviewed the program and Mr. Johnson requested clarification on the consultant's comments. The review of the course was tabled until later in the meeting.

- Motion: Mr. Johnson moved that the board approve the programs as presented.
- Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Rules Report and Discussion

Rules Report

The Rules Report was for the board's information and the rules on the report will be effective February 17, 2015 with the exception of Rule 61G1-16.002, Seal Description.

Rule 61G1-21, F.A.C. Continuing Education for Interior Designers
Interior Design Continuing Education Handbook
Rule 61G1-24, F.A.C. Continuing Education for Architects

Mr. Rodriguez requested that the board members review the rule and the continuing education handbooks for updates and corrections. Comments and suggestions are due to the board office by April 15, 2015.

Continuing Education Extension Requests

Mr. Clary and Mr. Kastner's requests were pulled from the agenda. They are required to submit a petition for variance or waiver because their requests were not medical hardships. Mr. Larson's request was pulled because there was not supporting documentation.

Jon Bloss Blehar

Motion: Mr. Costoya moved that the board approve an extension until February 28, 2015.

Second: Mr. Ehrig seconded them motion and it passed unanimously.

Stephen Muse

Motion: Mr. Ehrig moved that the board approve an extension until February 28, 2015.

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

Howard Firth

Motion: Mr. Toppe moved that the board approve the extension for six months based on his wife's death, his illness and that the hours completed shall not be used for the 2017 renewal.

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

Request for Board approved curricula per Rule 61G1-22, F.A.C.

Seminole State College of Florida
B.A.S. and A.S. Interior Design Program

After confirmation that Mr. Butler did not receive compensation from Seminole State College of Florida for reviewing this program, the following motion was made.

Motion: Mr. Johnson moved that the board approved Seminole State College of Florida's B.A.S. and A.S. Interior Design Programs as presented per Rule 22.003(1)(2)(a)(b)(4), F.A.C.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Architecture Continuing Education Handbook
Monitoring of Compliance with Continuing Education requirements

Mr. Minacci requested that the board consider implementing a rule that allows him to issue a notice of non-compliance for architect licensees that did not complete the required 24 hours by the December 31, 2014 deadline but completed them prior to February 28, 2015.

Ms. Clark provided draft language for the issuance of a citation as a frame work for the board to consider.

61G1-12.005 Citations.

(g) For 2012-2014 reporting cycle, failure to complete \$50 fine.
all continuing education by 12/31/14, where all
continuing education is complete by 2/28/15.

The board discussed the public's confusion regarding the increase in hours and the change to the reporting cycle. The board discussed the outreach done to make the public aware of the changes. The board discussed handling each case individually through the probable cause panel as well as making no changes to the rule for monitoring compliance (audit) of continuing education and imposing the penalties for non-compliance per the current rule.

After board discussion the following motion was made.

Motion: Mr. Toppe moved that the board notice the proposed rule language to Rule 61G1-12.007, Notice of Non-Compliance with no fine.

Second: Ms. Bao-Garciga seconded the motion, it passed with Mr. Rivers and Mr. Rodriguez opposed.

IDAF

Mr. Feldman was present and thanked the board for allowing him to serve the board for seven year as the IDAF representative and introduced Cynthia David as the new President.

AIA Florida

Ms. Long provided update on her continuing education programs for the upcoming renewal and their Legislative Day. She reported that they are monitoring House Bill 63 Public-Private Partnership, House Bill 87 Construction Defects Claims, and House Bill 501 Limitation of Actions.

Ms. Long reported that changes were proposed for public records and they were monitoring that language.

Ms. Long reported that they were monitoring House Bill 217 which proposes language for structural engineers separate from professional engineers.

ASID

Mr. Roberts reported that ASID's Annual Legislative Symposium was scheduled in Washington, DC April 14-15, 2015. He reported that they are monitoring Florida's Legislature for any proposed deregulation language. He reported that they are monitoring other states for interior design proposed licensure or registration legislation.

General Discussion/Information

CIDQ and CIDQ Member Board Newsletter

Mr. Johnson reported that there was a bylaw change recommended by the National CIDQ Board CIDQ to change the membership of the board from 4 member board members to 3 member board members. Florida voted in opposition. There was a new director appointment on the CIDQ ballot and the candidate withdrew. The board ratified the appointment of an attorney as a consumer member.

The NCIDQ practicum exam will be online 2017. Mr. Johnson provided passage percentages for the recent exam.

NCARB Proposed Modifications to the Broadly Experienced Architect (BEA) program and the Broadly Experienced Foreign Architect (BEFA) program

Member Board Chair and Member Board Executive Conference Summary 2014

Letter to NCARB regarding the Licensure Task Force

NCARB 2014 Annual Report

NCARB Legislative Year-End Review 2014

NCARB Board of Directors Brief December 2014

NCARB CEO Update October 2014 and November 2014

NCARB Candidacy – Alfred Vidaurri

NCARB Candidacy – Margo Jones

SC/NCARB Chair's Report November 2014

SC/NCARB Call for Nominations

SC/NCARB Candidacy – Kristine Harding

Mr. Rodriguez and Ms. McEwen attended the Member Board Chair and Member Board Executive Conference in 2014. Mr. Rodriguez reviewed the summary and discussions held at the Conference.

Mr. Fernandez, Mr. Rodriguez, and Ms. McEwen will attend the NCARB Summit in March. Mr. Rodriguez encouraged board members to apply for NCARB

positions and announced his candidacy as the Southern Conference (Region 3) Secretary.

Review and Approval of Meeting Minutes

October 27-28, 2014 – General Business Meeting, Clearwater, Florida
Correction to line 229, change Ms. to Mr. Johnson.

Motion: Mr. Johnson moved that the board approve the minutes as presented with the correction to line 229.
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

October 29, 2014 – Probable Cause Panel Meeting, Clearwater, Florida

Motion: Mr. Ehrig moved that the board approve the minutes as presented.
Second: Ms. Bao-Garciga seconded the motion it passed unanimously.

December 16, 2014 – General Business Meeting Telephone Conference Call
Ms. O'Doski submitted a request to be excused from the meeting.

Motion: Mr. Ehrig moved that the board approve the minutes as presented with the correction that Ms. O'Doski be excused.
Second: Mr. Costoya seconded the motion and it passed unanimously.

Ratification List(s)

Licensure

Motion: Mr. Johnson moved that the board approve the licensure ratification list as presented on pages 342-347 of the agenda.
Second: Mr. Rivers seconded the motion and it passed unanimously.

Continuing Education

Motion: Mr. Johnson moved that the board approve the continuing education list as presented on page 348 of the agenda.
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Reports

Chair's Report – Miguel Rodriguez

Executive Director's Report –
Financial Statement
Operating Account ending September 30, 2014

Unlicensed Activity Account ending September 30, 2014

Ms. Christie reviewed the financial statements and reported that the board is in good financial position.

Prosecuting Attorney's Report – David K. Minacci

Prosecutor's Case List Licensed/Unlicensed Cases

Investigator's Case List Licensed/Unlicensed Cases

Fines Chart – Summary

Fines Chart – Licensed

Fines Chart – Unlicensed

Billable Hours – September 2014

Billable Hours October 2014

Billable Hours November 2014

Billable Hours December 2014

Results of October 2014 Board Meeting

Press Releases/Speaking Engagements/Other Correspondence

Future Board Meetings

Location: St. Augustine Area

April 29, 2015 – Probable Cause Panel Meeting

April 30 and May 1, 2015 – General Business Board Meeting

Location: Boca Raton, Florida

Meeting in conjunction with AIA Florida

July 27, 2015 – Probable Cause Panel Meeting

July 28-29, 2015 – General Business Board Meeting

Location: Panhandle

October 7, 2015 – Probable Cause Panel Meeting

October 8-9, 2015 – General Business Board Meeting

New Business

No new business.

Old Business

No old business.

Recess

The meeting recessed at 3:50 p.m.

AGENDA

**Board of Architecture and Interior Design
The Shores Resort & Spa
2637 South Atlantic Avenue
Daytona Beach Shores, Florida 32118
(386) 767-7350**

**February 12, 2015
9:00 a.m.**

General Business

Call to Order

Mr. Rodriguez, Chair, Board of Architecture and Interior Design, called the meeting to order at 1:07 p.m.

Board of Architecture and Interior Design Members Present:

Miguel Rodriguez, Chair
Jonathan Toppe, Vice Chair
John Ehrig
Francisco "Frank" Costoya
Hector Fernandez
Aida Bao-Garciga
Kenan Fishburne
J. Emory Johnson
Dylan Rivers
James Blanz
Ivette O'Doski

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Trent Manausa
Michael Wirtz
Michael Craddock

Court Reporter:

Volusia Reporting Company, Sharon Dunlap, 432 South Beach Street, Daytona Beach, Florida 32114. Telephone 386.255.2150

Mr. Rivers attended the meeting and requested to be excused from the meeting since he was recused from all cases on the agenda due to his participation on the probable cause panel.

Mr. Oakley requested that his case be continued due to health reasons and Mr. Rodriguez approved for a one time continuance until the July meeting in Boca Raton.

DBPR vs. Michael E. Craddock

Case Numbers 2012-052848 and 2013-009809

PCP: Rodriguez, Shore, Costoya, and Rivers

Mr. Craddock was present and sworn in by the court reporter. Mr. Rodriguez and Mr. Costoya were recused from review of the case due to participation with the probable cause panel meeting. Mr. Toppe, Vice-Chair, conducted the hearing.

The respondent has two prior disciplinary cases that are civil final judgments in Circuit Court. The cases were before the board based on a six count administrative complaint, two counts of practicing architecture without a license, two counts for using the title architect, and two counts for practicing on a null and void license. The administrative complaint was served by hand delivery November 28, 2014. The respondent failed to respond to the administrative complaint.

The probable cause panel recommended \$30,000 fine plus \$390 costs.

Motion: Mr. Johnson moved that the board finds that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Johnson moved that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Ms. O'Doski seconded the motion and it passed unanimously.

Mr. Craddock provided a statement to the board regarding his health history, reasons for his oversights, and that he relied on others to renew his license.

Mr. Craddock provided his seal to Mr. Minacci.

Mr. Craddock's outstanding disciplinary actions imposed \$24,000 in fines plus \$508.50 in costs which must be paid before he can reapply for licensure. Mr. Craddock expressed his difficulties with paying the fines and costs because he could not get receive an income substantial enough to pay the current fines and costs. He advised that he was too ill to take care of his obligations.

Motion: Mr. Fernandez moved that the board impose a \$30,000 fine plus costs.

The motion died for lack of a second.

Motion: Mr. Johnson moved that the board impose a **\$500** fine plus costs payable with payments of no less than \$500.00 per payment until the total is paid.

The motion died for lack of a second.

Motion: Mr. Ehrig moved that the board impose a \$5,000 fine plus costs to be paid in one year of the final order.

Second: Ms. Bao-Garciga seconded the motion and it passed with Mr. Fernandez opposed.

Mr. Johnson commented that he would like the fines be imposed as restitution to the clients. Ms. Clark advised that the board does not have the ability to impose restitution. The board discussed restitution but it was determined that the board had no authority.

DBPR vs. Carrie A. Cox

Case Number 2013-046497

PCP: Rodriguez, Shore, Costoya, and Rivers

The respondent was not present but represented by counsel, Sarah Blackwell. Mr. Rodriguez and Mr. Costoya were recused from review of the case due to participation with the probable cause panel. The case was before the board based on a two count administrative complaint for practicing on an inactive certificate of authorization and failing to provide responsible supervisory control. Mr. Toppe, Vice-Chair, conducted the hearing.

The probable cause panel recommended a reprimand, a \$1,000 fine plus costs. The settlement stipulation reflects a reprimand plus costs. The fine was reduced because it was a first time offense and the respondent agreed to comply.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Eduardo Poveda and Poveda Designs, Inc.

Case Number 2013-035500

PCP: Hall, Shore, Toppe, and Rivers

Mr. Poveda was present and represented by counsel, Charles Curtis. Mr. Toppe was recused from the review of the case due to his participation with the

probable cause panel. The case was before the board based on a two count administrative complaint for practicing architecture without a license and for practicing through a business without a certificate of authorization.

The probable cause panel recommended at \$10,000 fine plus costs. The settlement stipulation reflects a \$2,500 fine plus cost. The fine was reduced because this was a first time offense, the respondent agreed to comply, and the respondent agreed to appear before the board.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Tillberg Design, Inc. and Tomas Tillberg

Case Number 2013-043044

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present but was represented by counsel, Charles Curtis. Mr. Toppe was recused from the review of the case due to his participation with the probable cause panel. The case was before the board based on a one count administrative complaint for renewing a certificate of authorization with no Florida licensed interior designer qualifying the business.

The probable cause panel recommended revocation of the license and a \$5,000 fine plus costs. The settlement stipulation reflects a \$500 fine plus costs. The fine was reduced because the business has a Florida licensed architect qualifying the business, the business is out of state and they primarily work on cruise ships, which is out of the board's jurisdiction.

Motion: Mr. Costoya moved that the board approve the settlement stipulation as presented.

Second: Mr. Johnson seconded the motion and it passed with Ms. Fishburne opposed.

DBPR vs. Aldo P. Lastra

Case Number 2013-039604

PCP: Hall, Shore, Toppe, and Rivers

Mr. Lastra was present and sworn in by the court reporter. Mr. Toppe was recused from the review of the case due to his participation with the probable cause panel. The case was before the board based on a one count administrative complaint for renewing his license without completing the required continuing education.

The probable cause panel recommended a \$1,000 fine plus costs, 40 hours of continuing education, and suspension of the license until compliance. The settlement stipulation reflects the probable cause panel's recommendation. Mr.

Lastra was present to request a reduction of the fine. He provided a brief presentation for the board to consider his request. After discussion the following motion was made.

Motion: Mr. Fernandez moved the board to reject the stipulation as presented.

Second: Ms. O'Doski seconded the motion and it passed unanimously.

Motion; Mr. Costoya moved that the board impose costs.

Second; Ms. Bao-Garciga seconded the motion and it passed unanimously.

Mr. Lastra accepted the counter stipulation.

DBPR vs. Design for Real Living, LLC and Carrie A. Kraus

Case Number 2012-052089

PCP: Rodriguez, Shore, Costoya, and Rivers

Ms. Kraus was present and sworn in by the court reporter. Mr. Rodriguez and Mr. Costoya were recused from the review of the case due to their participation with the probable cause panel. Mr. Toppe, Vice-Chair, conducted the hearing.

The case was before the board based on a two count administrative complaint for practicing architecture without a license and practicing architecture through a business entity without a certificate of authorization. This was primarily an advertising violation. This is a second offense and the respondent previously signed a notice to cease and desist. Ms. Kraus does not live in Florida and the company is out of business.

The probable cause panel recommended \$1,000 fine plus costs. Mr. Minacci requested that the board impose costs only.

Motion: Mr. Ehrig moved that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Ehrig moved that the board impose costs only.

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

Settlement Stipulation and Voluntary Relinquishments

Mr. Minacci requested that the board handle the following cases on a consent agenda because the settlement stipulations reflect the probable cause panel's recommendation.

Voluntary Relinquishments

DBPR vs. Michael Bataille and Drafting Design Service, Inc.

Case Numbers 2013-038141 and 2013-032076

Mr. Toppe was recused from the review of this case due his participation with the probable cause panel.

Motion: Ms. Bao-Garciga moved to approve the voluntary relinquishment as presented.

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

DBPR vs. DKOR Interiors, Inc. and Ivonne Ronderos
Case Number 2014-020955

DBPR vs. Susan L. Sharp
Case Number 2014-013482

DBPR vs. William Edwin Wallace
Case Number 2014-002628

Motion: Mr. Johnson moved that the board approve the voluntary relinquishments as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Pietro D'Aleo
Case Number 2013-041232
PCP: Hall, Shore, Toppe, and Rivers

DBPR vs. Jerome Jay Lazar
Case Number 2013-041228
PCP: Hall, Shore, Toppe, and Rivers

James D. Woody and Weber Design Group, Inc.
Case Numbers 2013-030884 and 2013-030890
PCP: Hall, Shore, Toppe, and Rivers

Mary Beth Courier and Oxford Design Studio
Case Number 2013-041554
PCP: Hall, Shore, Toppe, and Rivers

Daniel Mueller and Lifestyle Studio
Case Number 2013-040487
PCP: Hall, Shore, Toppe, and Rivers

Mr. Toppe was recused from the review of the cases due his participation with the probable cause panel.

Motion: Ms. Bao-Garciga moved that the board approve the settlement stipulations as presented.
Second: Mr. Ehrig seconded the motion and it passed unanimously.

DBPR vs. SAG Group, Inc. and Gabriel Salazar
Case Number 0213-049942

PCP: Rodriguez, Shore, Costoya, and Rivers

Mr. Rodriguez and Mr. Costoya were recused from the review of the case due to their participation with the probable cause panel. Mr. Toppe, Vice-Chair, conducted the hearing.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.
Second: Ms. Fishburne seconded the motion and it passed unanimously.

Motion for Order Waiving Formal Hearing

DBPR vs. Innovative Interiors, Inc. and Gladys Landa
Case Number 2012-051748

PCP: Rodriguez, Shore, Costoya, and Rivers

The respondent was not present. Mr. Rodriguez and Mr. Costoya were recused from the review of the case due to their participation with the probable cause panel. The case was before the board based on a one count administrative complaint for accepting professional responsibility the licensee was not competent to perform. The administrative complaint was served by certified mail. The respondent's counsel responded to the administrative complaint and requested a formal hearing. The respondent failed to respond to discovery and the Administrative Law Judge relinquished jurisdiction to the board.

The probable cause panel recommended a reprimand and a \$1,000 fine plus costs.

Motion: Mr. Ehrig moved that the board finds that the administrative complaint was properly served and through the Administrative Law Judges order there are not dispute of material facts.
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.
Second: Mr. Johnson seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the board impose a reprimand and a \$1,000 fine plus costs.
Second: Mr. Fernandez seconded the motion and it passed unanimously.

DBPR vs. Gary Thresher
Case Number 2014-006123

PCP: Rodriguez, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. Mr. Rodriguez and Mr. Costoya were recused from the review of the case based on their participation with the probable cause panel. Mr. Toppe, Vice-Chair, conducted the hearing.

The case was before the board based on a one count administrative complaint for failing to comply with a citation that is a final order for failing to respond to the continuing education audit. The administrative complaint was hand served on September 24, 2014 and the respondent has failed to respond.

The probable cause panel's recommendation is suspension until compliance plus costs.

Motion: Mr. Ehrig moved that the board finds that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto and that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the board impose suspension until compliance with the citation and payment of costs.

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

DBPR vs. Tondre Interior Design Studio and Eugene Tondre
Case Number 2012-050237

PCP: Rodriguez, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. Mr. Rodriguez and Mr. Costoya were recused from the review of the case based on their participation with the probable cause panel. Mr. Toppe, Vice-Chair, conducted the hearing.

The case was before the board based on a two count administrative complaint for practicing interior design without a license and using the title interior designer when not licensed. The administrative complaint was initially hand served but was unsuccessful. The administrative complaint was served by notice of action in the South Florida Business Journal and the respondent has failed to respond.

The probable cause panel recommended a \$10,000 fine plus costs.

Motion: Mr. Ehrig moved that the board finds that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto and that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Ms. O'Doski seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that board impose a \$10,000 fine plus costs.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact

DBPR vs. Ariel Aljovin

Case Number 2014-012674

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. Mr. Toppe was recused based on his participate with the probable cause panel. The case was before the board based on a one count administrative complaint for practicing architecture without a license. The respondent filed an election of rights and did not dispute the facts.

The probable cause panel recommended a \$1,000 fine plus costs.

Motion: Mr. Fernandez moved that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint as set forth in the administrative complaint.

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

Motion: Mr. Fernandez moved that the board impose 1,000 fine plus costs.

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

DBPR vs. Mothe Design, Inc. and Raquel Mothe

Case Number 2013-048878

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. Mr. Toppe was recused from the review of the case based on his participation with the probable cause panel. The case was before the board based on a two count administrative complaint for practicing architecture without a license and practicing architecture through a business entity without a certificate of authorization. The respondent did not dispute the facts.

The probable cause panel recommended a \$10,000 fine plus costs

Motion: Ms. O'Doski moved that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Ms. Bao-Garciga moved that the board impose a \$10,000 fine plus costs.

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

DBPR vs. Base 4 International, Inc. and Adam J. Ginsburg

Case Number 2013-048347

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. Mr. Toppe was recused from the review of the case based on his participation with the probable case panel. The case was before the board for a three count administrative complaint for practicing architecture without a license, using the title architect without a license, and practicing architecture through a business entity without a certificate of authorization.

The probable cause panel recommended a \$10,000 fine plus costs. The settlement stipulation reflects a \$1,000 fine plus costs. The fine was reduced because this was a first offense, they agreed to comply, and it was an advertising violation that was corrected.

Motion: Mr. Costoya moved that the board adopt the stipulation as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Creative Architectural Design Consultant, Inc. and

Jason A. Rohr

Case Number 2012-047642

PCP: Rodriguez, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. Mr. Rodriguez and Mr. Costoya were recused from the review of the case based on their participation with the probable cause panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license, using the title architect without a license, and practicing architecture through a business entity without a certificate of authorization.

The probable cause panel recommended a \$10,000 fine plus costs. The settlement stipulation reflects a \$500 fine plus costs. The fine was reduced because this was a first offense, they agreed to comply, and the project was residential.

Motion: Mr. Ehrig moved that the board approve the stipulation as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Fernando R. Gomez-Pina

Case Number 2013-049962

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. Mr. Toppe was recused based on his participation with the probable case panel. The case was before the board based on a one count administrative complaint for practicing architecture without a license. This was a third offense and Mr. Gomez-Pina relinquished his engineer's license.

The probable cause panel recommended a \$5,000 fine plus costs. The settlement stipulation reflects a \$1,000 fine plus costs.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.

Second: Ms. O'Doski seconded the motion and it passed unanimously.

DBPR vs. Patrick McBride

Case Numbers 2013-044122

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. Mr. Toppe was recused from the review of the case based on his participation with the probable cause panel. The case was before the board for a two count administrative complaint for practicing architecture without a license and practicing architecture through a business entity without a certificate of authorization.

The probable cause panel recommended a \$10,000 fine plus costs. The settlement stipulation reflects a \$5,000 fine plus costs. The fine was reduced because it was a first offense and they agreed to comply.

Motion: Ms. Fishburne moved that the board approve the settlement stipulation as presented.

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

New Business

Mr. Rodriguez reported that there was an organization selling preparation courses for the Architecture Registration Exam (ARE). American Board of Architecture is creating their own examination, licensure, accreditation, etc. He forwarded the information to NAAB and NCARB. The company is being promoted as an acceptable path of licensure. NCARB sent an e-mail to member board members.

Motion: Mr. Ehrig moved in support of Mr. Rodriguez writing a letter restating Florida's licensure requirements.
Second: Mr. Johnson seconded the motion and it passed unanimously.

Old Business

No old Business

Adjourn

Motion: Mr. Johnson moved that the meeting be adjourned.
Second: Mr. Costoya seconded the motion and it passed unanimously.

The meeting adjourned at 11:41 a.m.