

MINUTES
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL

June 24, 2015
2:00 p.m. Eastern Time

Toll Free (888) 670-3525 - conference pass code 6715298664 then #

Call to Order

Chairman Rodriguez called the meeting to order at 2:04 p.m.

Board Members Present:

Miguel Rodriguez, Chair
John Ehrig
Francisco Costoya, Jr.
Jonathan Toppe, Vice-Chair
J. Emory Johnson
Aida Bao-Garciga
James Blanz
Ivette Arango O'Doski

Board Members Absent:

Hector Fernandez
Kenan Fishburne, excused
Dylan Rivers, excused

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Thomas Campbell, Executive Director
Terri McEwen, Government Analyst
Jason Charalambides
Kay Craynon
James McClaren
Shalini Mohan
Other Interested Parties

Court Reporter: For the Record Reporting, Inc., 1500 Mahan Drive, Suite 140, Tallahassee, FL 32317. Telephone (850) 222-5491 fortherecord@tallahaseecourtreporting.com

Petitions

1. Petition for Variance or Waiver of Rule 61G1-22.002(1) and Rule 61G1-22.001(1), Florida Administrative Code

Kay Elizabeth Craynon was present and petitioned for a permanent variance or waiver from the Interior Design Professional Experience Requirements and the Schedule for Award of Interior Design Professional Experience. Ms. Clark advised that the board could not waive the specific rules she requested because they are required by statute. However, she could have requested a waiver or variance from Rule 61G1-22.002(4), Florida Administrative Code.

Ms. Craynon owned her own business, practiced in Ohio for 35 years and other licensed individuals that could verify her experienced are deceased. She relocated to Florida, worked with Baer's Furniture Store and had difficulty obtaining verification of her work experience through a licensed architect or interior designer.

The board recommended that she contact NCIDQ for verification of her work experience or go back to the licensed qualifier for Baer's Furniture Store for verification of her work experience. Ms. Craynon withdrew her petition and waived the 90 day application processing rights.

2. Petition for Variance or Waiver of Rule 61G1-13.001(1), Florida Administrative Code
Jason Charalambides was present and petitioned for a permanent variance or waiver from the Intern Development Program which was amended October 2012 through Legislative changes to Section 481.211, Florida Statute, Architecture Internship enacted July 2012. After review and discussion the following motion was made by the board.

Motion: Mr. Toppe moved that the board approve the petition for variance or waiver from Rule 61G1-13.001(1), F.A.C., based on the fact that Mr. Charalambides applied for examination and licensure in 2001 prior to the statutory and rule changes, that he completed more than 2 years of NCARB IDP, that he teaches for a NAAB program, and that he met the requirements based on his Master's Degree in Architecture and a PhD in Civil Engineering.

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

Ms. Bao-Garciga left the meeting at 2:44 p.m.

Application Review

James McClaren – NCARB Endorsement

Mr. McClaren was present and his application was before the board based on an affirmative answer to a background question on the application. The board reviewed the settlement agreement Mr. McClaren entered with State of Nevada, he complied with requirements and is currently licensed. After review and discussion the following motion was made by the board.

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

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

Shalini Mohan – State Endorsement

Ms. Mohan was present and her application was before the board to determine if the 1999 New Jersey licensure requirements were substantially equivalent to Florida's licensure requirements. After reviewing both state statutes, the documentation provided in the application, the board consultant's evaluation and recommendation, and further discussion the following motion was made by the board.

Motion: Mr. Ehrig moved that the board approve the application for licensure based on the board consultant's recommendation that her education as evaluated by Educational Credential Evaluators, Inc. (ECE) and her experience was substantially equivalent to that which was required by Florida at the time of initial licensure.

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

General Business

Update on Rule 61G1-12.007, Florida Administrative Code

Ms. Clark reported that the Joint Administrative Procedures Committee (JAPC) provided comments regarding the proposed draft language approved at the May meeting. Ms. Clark reported that she responded to their concerns and provided updated draft language for the board's review.

61G1-12.007 Notice of Non-compliance.

(4) In accordance with Sections 120.695 and 455.225(3), F.S., when a complaint is received, the Department shall provide a licensee with a notice of non-compliance for an initial offense only of a minor violation. Failure of a licensee to take action in correcting the violation within 15 days after the notice shall result in the institution of regular disciplinary proceedings by the department. "Minor violation," as used in Sections 120.695 and 455.225(3), F.S., is defined as follows:

~~(a) Violations of paragraph 61G1-12.005(3)(c), F.A.C.,~~

(1) ~~(b)~~ Failure to date plans when signing and sealing as required by Section 481.221, F.S.,

(2) ~~(c)~~ Practicing on a delinquent license in violation of Section 455.271, F.S., for 120 days or less,

(3) ~~(d)~~ Practicing on a delinquent certificate of authorization in violation of Section 455.271, F.S., for 120 days or less,

(4) ~~(e)~~ Failure to include the individual's or firm's certificate number in any newspaper, telephone directory, or other advertising medium in violation of Section 481.221(108), F.S.,

(5) ~~(f)~~ Failure to report a change of address as required by Section 455.275, F.S.,

(6) For the 2013-2014 reporting cycle, an architect's failure to complete 24 hours of required continuing education by December 31, 2014, in violation of Section 481.215(3), F.S., and Rule 61G1-24.002, F.A.C, where the number of continuing education hours completed during the period January 1, 2013 to February 28, 2015 is 24.

~~(2) In accordance with Section 120.695, F.S., the Department shall issue a notice of non-compliance as a first enforcement action against a licensee for a minor violation of a rule. Pursuant to Section 120.695, F.S., the Board designates the following rules for which a violation would be a minor violation of a rule for which a notice of non-compliance is issued: violations of paragraph 61G1-12.005(3)(c), F.A.C.~~

Rulemaking Specific Authority 120.695, 455.225(3), 481.2055 FS. Law Implemented 120.695, 455.225(3) FS. History—New 2-29-96, Amended 2-25-98, 4-18-00, _____.

After discussion the following motions were made by the board.

Motion: Mr. Ehrig moved that the board approve the proposed language as presented.
Second: Mr. Costoya seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the proposed rule language would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule.
Second: Mr. Costoya seconded the motion and it passed unanimously.

New Business

No new business.

Old Business

Letter to the Florida Building Commission

The definition was not removed and the change was to use more appropriate language. This item will be scheduled for the July agenda.

Adjourn

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

The meeting adjourned at 2:51 p.m.