

MINUTES

**Board of Architecture and Interior Design
Hilton Historic Bayfront
32 Avenida Menendez
St Augustine, Florida 32084
904.829.2277**

**January 24, 2013
9:00 a.m.**

General Business

Call to Order

Mr. Ehrig, Chair, called the meeting to order at 9:17a.m. A quorum was established and an invocation performed.

Members Present:

John Ehrig, Chair
Miguel (Mike) Rodriguez, Vice-Chair
Francisco (Frank) Costoya, Jr.
Jonathan Toppe
Aida Bao-Garciga
Kenan Fishburne

Members absent:

J. Emory Johnson, excused
Warren Emo, excused

Others Present:

GW Harrell, Director, Division of Professions
George Ayrish, Director, Division of Service Operations
Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Trent Manausa
Michael Wirtz

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

Disciplinary Cases

DBPR vs. Armando J. Bustos
Case Number 2011-046668 and 2011-048463

PCP: Hall, Shore, and Gozdz

Mr. Bustos was present and sworn in by the court reporter. The case was before the board based on the respondent offered architecture services on a business card and letterhead, contracted for architectural services, and offered architectural services through a business entity without a certificate of authorization. Probable cause was found and a two count administrative complaint was filed for practicing architecture without a license and offering architectural services through a business entity without a certificate of authorization.

The respondent returned the election of rights form waiving his rights to be heard on the matter. The probable cause panel recommended a \$10,000 fine plus costs.

Mr. Bustos commented that he was offering engineering services and commented that there was a mistake with the business cards which always reflected engineering services. He commented that he never intended to offer architectural services.

Mr. Minacci commented that the proposal specifically offered architectural services on the contracts. Mr. Bustos commented that he never offered architectural services only and in his country he could offer those services.

Mr. Minacci commented that offering architectural services in a proposal is a violation of the statutes. Mr. Bustos commented that the mistake was made by his secretary. He commented that they offer mechanical and electric engineering services not architectural services.

Mr. Bustos commented that the business card was used for other countries. Mr. Minacci commented that the business card reflects a Miami address and would require a license.

Mr. Rodriguez commented that this case was more than a clerical mistake. He commented that the contract defines an architectural department with Mr. Bustos' name and the Associate AIA title that was used for a specific reason. Mr. Rodriguez did not feel that the error was a simple secretarial mistake. He commented that the contract appeared to be a standard form used over and over again. Mr. Costoya agreed.

Mr. Bustos commented that he revised the contract with the assistance of a friend because of the language barrier.

The board reviewed a contract and plans within the materials and the building department made many comments on deficiencies with the engineering and architectural aspects.

Ms. Clark commented that the board was confined to the facts in the administrative complaint that were not disputed. She advised that the board could use Mr. Bustos' testimony for mitigating the facts.

Motion: Mr. Rodriguez moved that the board find 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 Mr. Bao-Garciga seconded the motion and it passed unanimously.

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

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

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

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

DBPR vs. Paul Christopher Charette

Case Number 2011-046446

PCP: Hall, Shore, and Gozdz

Mr. Charette was present and sworn in by the court report. The case was before the board based on a contract for a residential renovation that the respondent was not able to obtain approval for permitting. The owner had to hire another architect. Probable cause was found to file a one count administrative complaint that was filed for the misconduct of the practice of architecture.

Mr. Charette filed an election of rights and did not dispute the facts in the administrative complaint. The probable cause panel recommended a one year suspension, two year probation, a \$5,000 fine plus costs.

Mr. Charette provided his professional background and advised that he was not able to attend the probable cause panel meeting due to four deaths in his family. He commented that he was not able to complete the contract because he was released by the customer after the second Architectural Review Board of Coral Gables. He commented that he released the plans to the new architect.

Mr. Minacci commented that the probable cause panel only had Jerry Hicks' report and the panel did not have the benefit of Mr. Charette's testimony. Mr. Charette commented that the penalty was excessive for a \$2,500.00 job.

Mr. Minacci commented that Mr. Charette had a prior case for failing to exercise responsible supervisory control and it was settled. Mr. Rodriguez commented that he was familiar with the Architectural Review Board (ARB) of Coral Gables and understood how difficult it could be to move through the process without

comments. He commented the ARB does not approve drawings unless the architect is involved.

Mr. Costoya commented the thought the penalty was severe.

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

Second: Mr. Fishburne seconded the motion.

Mr. Rodriguez commented that he had issue with the conclusions of law based on the facts.

The motion was withdrawn. Ms. Clark commented that the facts were not disputed by the respondent.

Mr. Rodriguez commented that based on the facts of the case he would have closed the case with a letter of guidance if he was on the probable cause panel. After reviewing the administrative complaint and board discussion, Ms. Bao-Garciga commented that she would dismiss the case.

Ms. Clark advised the board that they could accept the findings of fact but not the conclusion of law because based on the facts there was no violation of law or the board could dismiss the administrative complaint which would be a public record.

Motion: Mr. Rodriguez moved that the board dismiss the administrative complaint.

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

DBPR vs. JW Smith Design Group, LLC and Jeffrey W. Smith

Case Number 2011-054227 and 2012-023361

PCP: Hall, Shore, and Gozdz

Mr. Smith was present but not sworn in. The first case was before the board based on the business having a certificate of authorization however the firm did not have a licensed architect qualifying the business. The business continued to offer architecture services. The second case was before the board based on the respondent using the title architect. For the first case a one count administrative complaint was filed for practicing architecture through a corporation without a licensed architect and the second case a one count administrative complaint was filed for using the title architect.

The probable cause panel recommended revocation of the certificate of authorization in the first case and a \$5,000 fine plus costs in the second case.

The settlement stipulation reflects revocation of the certificate of authorization and a \$2,500 fine plus costs.

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

DBPR vs. Lawrence Lordi
Case Number 2011-052419
PCP: Hall, Shore, and Gozdz

Mr. Lordi was present and sworn in by the court reporter. Mr. Costoya was recused from the case because he worked with Mr. Lordi and did not feel he could be fair and impartial regarding the case. The case was before the board based on Mr. Lordi aiding and abetting an unlicensed business to offer architecture services. Mr. Lordi appeared before the probable cause panel. Probable cause was found and a one count administrative complaint was filed for aiding and abetting unlicensed activity.

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

Mr. Lordi commented that he recently moved and provided a new address of 7725 Yardley drive #112, Tamarac, Florida 33321.

Mr. Lordi commented that he knew Mr. Diaz and that he was a contractor. They had a relationship and they recommended each other for jobs. Mr. Diaz was working out of an office set up in his home. Mr. Lordi started a new business, Metropolitan Architecture and Design.

Mr. Lordi commented that Mr. Diaz did not offer architectural services because the business, Adezza never opened. He advised that they were looking for office space together but it never happened. Mr. Lordi commented that he advised Mr. Diaz to remove all references to architecture services on his web site.

Mr. Lordi commented that he signed the administrative complaint to resolve the issue. He commented that he disputed some of the facts but he signed the settlement stipulation to move forward. Ms. Clark commented that the board was not a fact finder and Mr. Lordi either disputed the facts or not. Mr. Lordi did not dispute the facts.

Motion: Ms. Bao-Garciga moved that the board approve the settlement stipulation as presented.
Second: Mr. Toppe seconded the motion, Ms. Fishburne opposed the motion, and the motion passed.

DBPR vs. Building Management Systems, Inc. and W. Doug Padgett
Case Number 2010-056540
PCP: Rodriguez, Wirtz, and Gustafson

Mr. Padgett was present and sworn in by the court reporter. The case was before the board based on the unlicensed business offering architectural services on its web site and in a proposal for a public project. Probable cause was found to file a two count administrative complaint for practicing without a license and practicing through a business entity without a certificate of authorization.

The probable cause panel recommended a \$10,000 fine plus costs and an appearance before the board. The settlement stipulation reflected a \$5,000 fine plus cost and an appearance before the board.

The case was before the board previously and the board rejected the settlement stipulation with the same terms because Mr. Padgett did not appear at the meeting. Mr. Minacci requested that the board approve the settlement stipulation as presented.

Mr. Rodriguez was recused from the case because he served on the probable cause panel at the time the case was presented to the panel.

Mr. Padgett commented that he took the last paragraph of the notification letter, which said appearance was optional so he did not appear.

Mr. Minacci commented that he thought it was important that Mr. Padgett appear before the board and that he understood the violation and why the fine was reduced.

Mr. Padgett reported that he had a previous license and when the license expired the language was not changed on the web site. He commented that they have purged architecture from all advertisements. He commented that the contract in question was a design build proposal and other proposals were set up the same way with a construction company and they teamed with an architect. Mr. Minacci commented that the proposal had a flow chart that clearly offered architectural services.

Mr. Padgett commented that he wanted to resolve this issue and move forward.

Mr. Ehrig commented that he wanted Mr. Padgett to understand that he could not submit proposals in Florida prior to having the architecture license.

Motion: Mr. Toppe moved that the board approve the settlement stipulation as presented and Mr. Padgett's appearance.

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

The board realized that Mr. Rodriguez was recused from the vote and he could not second the motion.

Motion: Ms. Bao-Garciga moved that the board reconsider the agenda item.

- Second: Mr. Costoya seconded the motion and passed unanimously.
- Motion: Mr. Toppe moved to approve the settlement stipulation as presented.
- Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Mr. Rodriguez was recused and did not vote on the motion.

DBPR vs. Roland Baker

Case Number 2011-019040

PCP: Hall, Shore, and Gozdz

Mr. Baker was not present or represented by counsel. The case was before the board based on the respondent offering architectural services for a church plan without a license. This was a second offense. Probable cause was found to file a one count administrative complaint for the unlicensed practice of architecture. Service was attempted by hand delivery which was unsuccessful. Service was achieved by notification in the South Florida Business Journal, November 30, 2012 and the respondent had failed to respond.

The probable cause panel recommended a \$5,000 fine plus costs.

- Motion: Mr. Toppe moved that the board find 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 adopt the findings of facts set forth in the administrative complaint.
- Second: Mr. Rodriguez seconded the motion and it passed unanimously.
- Motion: Mr. Toppe moved that the board adopt the conclusions of law as set forth in the administrative complaint.
- Second: Ms. Fishburne seconded the motion and it passed unanimously.
- Motion: Mr. Toppe moved that the board impose a \$5,000 fine plus costs.
- Second: Mr. Costoya seconded the motion and it passed unanimously.

DBPR vs. Reginald Burton

Case Number 2011-019047

PCP: Hall, Shore, and Gozdz

Mr. Burton was not present or represented by counsel. The case was before the board based on the respondent offering architectural services for a church plan without a license. Probable cause was found to file a one count administrative complaint for practicing architecture without a license. The administrative complaint was served on September 8, 2012 by hand delivery and the respondent had failed to respond.

The probable cause panel recommended a \$5,000 fine plus costs.

Motion: Mr. Toppe moved that the board find 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 adopt the findings of facts and conclusions of law as set forth in the administrative complaint.

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

Motion: Ms. Bao-Garciga moved that the board impose a \$5,000 fine plus costs.

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

DBPR vs. Metro Architects, Inc. and Christopher P. Miller

Case Number 2011-052249

PCP: Hall, Shore, and Gozdz

The respondent was not present or represented by counsel. The case was before the board based on a citation that was issued for offering architectural services on their website without a certificate of authorization. The respondent failed to pay the citation and continued to offer architectural services. The respondent responded to the citation and provided a null and void license Metro Architects, LLC. The website reflected the null and void license number of Metro Architects, LLC. Probable cause was found to file a three count administrative complaint for failing to comply with a lawful order of the board (citation), attempting to use a license while in a null and void status, and using the license number of another business entity.

The administrative complaint was served by hand on August 27, 2012. The respondent failed to respond to the administrative complaint.

The probable cause panel recommended a \$15,000 fine plus costs.

The board discussed the citation and the respondent's failure to respond to the citation or appear before the board regarding this case.

Mr. Harrell commented that they could verify the license on the department's website and felt the \$15,000 fine was high.

Mr. Rodriguez commented that the probable cause panel used the \$15,000 fine as an avenue to get the respondent's attention. The board discussed the amount of the fine being \$1,000 per count up to \$5,000 per count and would like the respondent to be engaged with the board.

Motion: Mr. Rodriguez moved that the board find that the administrative complaint was properly served upon the respondent and that the

respondent waived the right to dispute the materials facts by failure to timely respond thereto.

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

Motion: Mr. Rodriguez moved that the board adopt the finding of facts and conclusions of law as set forth in the administrative complaint.

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

Mr. Manausa reminded the board that the respondent made false statements in their application because they had projects pending but did not report the projects on the application. Ms. Fishburne commented that she was concerned about the case based on the facts and they are deliberately not following the law and the board should make a make a statement.

Motion: Mr. Rodriguez moved that the board impose an \$8,000 fine plus costs and payment of the original citation of \$1,000.

Second: Mr. Costoya seconded the motion.

Ms. Fishburne offered a friendly amended to the motion and would support a \$10,000 fine.

Motion: Mr. Rodriguez amended the motion to impose a \$10,000 fine plus costs and payment of the original citation of \$1,000 citation

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

DBPR vs. Richard Parker Brookfield

Case Number 2011-004089

PCP: Hall, Shore, and Gozdz

The respondent was not present or represented by counsel. The case was before the board based on signing and sealing insufficient. Probable cause was found to file a two count administrative complaint for signing and sealing plans that did not conform to acceptable standards of care for architectural practice and signing and sealing plans that were not sufficiently detailed.

The probable cause panel recommended a reprimand, two years probation, \$2,000 fine plus costs. The settlement stipulation reflects the panel's recommendation.

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

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

DBPR vs. Blue Water Engineering & Design, Inc., Richard E. Hopkins, Inc.

And Richard E. Hopkins

Case Number 2011-061202

PCP: Hall, Shore, and Gozdz

The respondent was not present or represented by counsel. The case was before the board based on respondent contracting for architectural services without a license and offering the services through a business entity that was not licensed. Probable cause was found to file a two count administrative complaint for practicing architecture without a license and offering architectural services 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 \$2,500 fine plus costs. The fine was reduced because this was a first time offense.

The board discussed the fact that Mr. Minacci had numerous conversations with the respondent's attorney. Mr. Minacci commented that he felt they understood the law. The board discussed that the business was primarily an engineering firm.

Mr. Minacci commented that the Florida Board of Professional Engineers issued the firm a cease and desist order. Mr. Rodriguez commented that the original engineer that opened the business has passed and they may no longer have an engineering license.

Mr. Minacci advised the board that a building official filed the complaint.

Motion: Mr. Toppe moved that board reject the settlement stipulation due to public health, safety, and welfare.

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

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

Ms. Clark advised the board to consider the stipulation where the respondent agreed to pay the \$2,500 fine plus costs. She advised them to consider them paying or going to court. Mr. Costoya commented that he supported the \$10,000 fine but felt the board should be consistent with penalties.

The board discussed tabling the matter to allow further investigation. The board discussed imposing a \$10,000 fine plus costs or accepting the stipulation as presented based on the cost of further prosecution. The board discussed that an Administrative Law Judge interprets the laws and rules differently than how the board interprets the laws and rules.

Motion: Mr. Toppe moved to withdraw his motion to reject the settlement stipulation.

Second: Mr. Rodriguez -seconded the motion, Mr. Costoya opposed, and the motion passed.

Motion: Mr. Toppe moved that the board approve the settlement stipulation as presented.
Second: Ms. Bao-Garciga seconded the motion, Mr. Rodriguez opposed the motion, and the motion passed.

DBPR vs. Ram A. Goel and Soney FM, LLC
Case Number 2012-008402
PCP: Hall, Shore, and Gozdz

The respondent was not present or represented by counsel. The respondent is a licensed professional engineer and was offering architectural services on his web site and aiding an unlicensed firm with the practice of architecture. Probable cause was found to file a three count administrative complaint for aiding the unlicensed practice of architecture, practicing architecture without a license, and practicing architecture through a business entity without a certificate of authorization.

The probable cause panel recommended a \$15,000 fine plus costs. The settlement stipulation reflects a \$2,500 fine plus costs. The fine was reduced because it was a first time offense and the respondent complied immediately by updating the web site and the respondent had no relationship with Mr. Hawari.

Mr. Minacci commented that the number of counts does not indicate the severity of the offenses because two counts in the case were regarding advertising on a web site and they have been resolved. The board discussed the building department's comments regarding the plans and the incidental practice of architecture by an engineer. Mr. Minacci reminded the board to impose a penalty based on the facts of the case. After board discussion the board made the following motion.

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

DBPR vs. Adelson Ramos and Architectural Design & Associates, Inc.
Case Number 2011-004080
PCP: Hall, Shore, and Gozdz

The respondent was not present or represented by counsel. The case was board based on the respondent was holding himself out as an architect without a license and offering those services through a business without a certification of authorization. This was a second offense and probable cause was found to file a three count administrative complaint and was filed for practicing architecture without a license, using the title architect without a license, and offering architectural services through a business entity without a certificate of authorization.

The probable cause panel recommended a \$10,250 fine plus costs. The settlement stipulation reflects a \$5,000 fine plus costs. The prior offense was a cease and desist order for offering architectural services.

Motion: Ms. Bao-Garciga moved that the board approve the settlement stipulation as presented.

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

DBPR vs. Nicole Hollant

Case Number 2008-062163 and 2010-059274

Ms. Holland was not present or represented by counsel. Mr. Rodriguez 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 the respondent not complying with a final order for continuing education discipline. A second case was opened and the respondent agreed to relinquish her license.

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

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

DBPR vs. Merchandising Plus, Inc. and Rita Williams

Case Number 2012-029076

Mr. Minacci withdrew the case from the agenda.

Recess

The meeting recessed at 12:35 p.m.

MINUTES

**Board of Architecture and Interior Design
Hilton Historic Bayfront
32 Avenida Menendez
St Augustine, Florida 32084
904.829.2277**

**January 25, 2013
9:00 a.m.**

Call to Order

Mr. Ehrig, Chair, called the meeting to order at 9:03 a.m. A quorum was established and an invocation performed.

Members Present:

John Ehrig, Chair
Miguel (Mike) Rodriguez, Vice-Chair
Francisco (Frank) Costoya, Jr.
Jonathan Toppe
Aida Bao-Garciga
Kenan Fishburne

Members absent:

J. Emory Johnson, excused
Warren Emo, excused

Others Present:

GW Harrell, Director, Division of Professions
George Ayrish, Director, Division of Service Operations
Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Trent Manausa
Michael Wirtz
Janice Young
Sharon Del Bianco
Nancy Bredemeyer
David Roberts
Michael Wirtz

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

Mr. Ehrig reported that Mr. Spivey, Executive Director, accepted a teaching position and that he would be missed. He reported that he had contacted the

department to request that Ms. Chastain be reappointed to the board as Executive Director. He reported that Ms. Gozdz, Consumer Member, resigned from the board and Mr. Costoya was appointed in her position on the probable cause panel.

Rules

Rules Report

Ms. Clark reviewed the rules report and reported that all rules on the report were now effective.

Rule 61G1-17.002, F.A.C., Fees

NCIDQ examination review and challenges (update)

The board's rule allows for a review of the examination however NCIDQ does not allow a review. NCIDQ has not allowed an examination review since 2000.

The board discussed repealing paragraph eight of Rule 61G1-17.002.

Ms. Aida Bao-Garciga requested that the board write a strong letter requesting that NCIDQ allow Florida candidates to review their failed examination results. Examination candidates think they have the ability to review their examination results based on the current rule language in place.

Ms. Young commented that NCIDQ will abide by Florida's laws or rules. She commented that the board should formally notify NCIDQ about the rule that would provide examination reviews for member boards.

Ms. Clark commented that Mr. Spivey contacted NCIDQ in writing regarding Chapter 455.217(3), Florida Statutes, does not require examination reviews for national examinations. The contract between the department and NCIDQ does not allow examination reviews.

Ms. Clark commented that the board had statutory authority for the current rule because in the past there was an avenue for reviews however the contract with NCIDQ does not allow for a review. She encouraged the board to write a letter and request that NCIDQ grant reviews to Florida since they are a member board. The board does not have a statute that absolutely requires a review.

Mr. Rodriguez commented that the board should write the letter and reference the rule and ask that NCIDQ comply with that rule. He commented that the board could determine how to handle the rule once NCIDQ responds.

Mr. Toppe asked if the board had liability if the review was not provided. Ms. Clark replied in the negative.

Mr. Ehrig commented that he would write a letter to NCIDQ and request they reconsider the issue because Florida is a member board and has 2,500 licensees and would like to have a review process. Otherwise, the board would create an examination for Florida candidates.

Ms. Young suggested amending the contract agreement to include the examination review. Ms. Fishburne suggested a response date because time was of the essence.

Mr. Ehrig will prepare the letter for NCIDQ.

Ms. Fishburne thanked Ms. Young for attending the meeting and providing valuable information about the NCIDQ process.

Mr. Rodriguez commented that the board should review all contracts signed by the department on the board's behalf. Ms. Young commented that the change regarding reviews occurred because of legal issues.

Rule 61G1-22.003, F.A.C., Education Requirements for Interior Designers (Mr. Rodriguez)
David Butler's recommendation
Council for Interior Design Accreditation (CIDA) Professional Standards

Mr. Butler provided an update to the rule which was in line with CIDA Standards with the exception of the accrediting requirement.

Ms. Fishburne commented that using the CIDA guidelines was an excellent idea. She agreed with Mr. Butler's recommendation and was in favor based on her background as an educator.

Mr. Rodriguez commented that he looked at the language as an accreditor and supports that type of review. He commented that the board was not an accrediting body. He commented that the board was reviewing the programs based on the curriculum only and wanted the rule in line with what was actually happening. The on site review could not happen. Mr. Rodriguez agreed with Mr. Butler's recommendation and the board was best served by striking paragraph four and any reference to any other review than curriculum only.

Ms. Clark would work with Ms. Fishburne and Mr. Butler to draft language for the next meeting.

Motion: Mr. Toppe moved that Ms. Clark notice the rule for development.
Second: Mr. Costoya seconded the motion and it passed unanimously.

Rule 61G1-11.012, F.A.C.

This rule needs to be updated to reflect what the board is actually doing in regards to education review and recommendations for applications.

Motion: Mr. Rodriguez moved that Ms. Clark notice the rule for development.

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

Motion: Mr. Toppe moved that there would not be an adverse impact on small businesses 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.

General Discussion

Request for Board approved curricula per Rule 61G1-22.003, F.A.C.

David Butler's Review and Recommendation for Seminole State College of Florida (Formerly Seminole State Community College)
Seminole State College Request for approval and detailed interior design program curriculum

Motion: Ms. Fishburne moved that the board approve Seminole State College of Florida's Associate and Bachelor degree programs in interior design as board approved curricula.

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

Mr. Rodriguez commented that Mr. Butler provided an excellent review and thanked him for his service to the board.

Public Service Announcements (PSA) update

Mr. Toppe reported that 18 teams had registered for the contest from FAMU, FIU, and UF. Mr. Toppe thanked AIA Florida for their financial and media support.

Ms. Young advised that the IDAF had not approved the funding for an interior designer PSA.

Mr. Roberts with ASID advised that they were working to obtain funding for the PSA as well. Ms. Bao-Garciga reported that the South Chapter of IIDA was willing to give funding.

Article regarding obtaining educational degrees

Ms. Bao-Garciga provided the article for information only and was discouraged by the contents. Mr. Ehrig commented that 40 percent of architects were unemployed or under employed.

Mr. Rodriguez commented that there was a need for architecture education to include business practices. He commented that now would be the time to graduate with an architectural degree based on the gap of individuals that have left or did not enter the profession during the soft economic times. He commented that the current education requires courses primarily in the profession and not electives in business.

Mr. Toppe commented that the board witnesses unlicensed practice and plan stamping and was not sure that issue was addressed in the education realm. Mr. Ehrig commented that Mr. Minacci does outreach at universities and colleges of architecture to address unlicensed practice.

Mr. Ehrig commented that the economy was changing and business was better in the Orlando area.

Mr. Rodriguez commented in foreign countries like Spain the University was charged with granting the license. He reported that they have a substantially equivalent education program however they were evaluating internship and examination. Mr. Ehrig commented that Canada may be an issue in the future because if an individual is testing during the education process on structural issue then they do not have to take that portion of the ARE.

Wanda Gozdz Resignation Letter

Mr. Ehrig commented that Ms. Gozdz was a consumer member and was now a residential interior designer. Mr. Ehrig encouraged the audience to apply as a board member or ask others that they knew to apply.

IV. Review and Approval of Meeting Minutes

October 22, 2012 – Probable Cause Panel (ratify)

Motion: Ms. Bao-Garciga moved that the board ratify the October 22, 2012, Probable Cause Panel meeting minutes as presented.

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

October 23, 2012 – General Business Panama City, Florida

Motion: Mr. Costoya moved that the board approve the October 23, 2012 General Business meeting minutes as presented.

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

December 4, 2012 – Telephone Conference Call

Motion: Mr. Rodriguez moved that the board approve the December 4, 2012 Telephone Conference Call meeting minutes as presented.
Second: Mr. Toppe seconded the motion and it passed unanimously.

Ratification List(s)

Licensure

Motion: Mr. Toppe moved that the board approve the licensure ratification list as presented.
Second: Mr. Costoya seconded the motion and it passed unanimously.

Continuing Education

Motion: Mr. Rodriguez moved that the board approve the continuing education ratification list as presented.
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Mr. Ehrig assigned Mr. Toppe and Ms. Fishburne to review continuing education courses as needed by the department.

Reports

Architecture Customer Satisfaction Survey
DBPR Customer Contact Center (CCC) – George Ayrish, Director, Division of Service Operations (DSO)

Mr. Ayrish briefly described the department's break down of the different sections and what services the DSO provides to the board. He commented that the AIA Florida met with Secretary Lawson regarding their concerns with the Customer Contact Center. In response to their concerns, the department conducted a survey of licensed architects, architectural firms, and architecture applicants.

Mr. Ayrish reported that the average processing time for applications is less than 2 days. He reported that the CCC monitors all the calls for the department and has over 100 telephone lines and has an Interactive Voice Response (IVR) system available 24 hours 7 days a week. The CCC offers English and Spanish speaking agents.

Mr. Ayrish commented that the CCC improved their system so they could assist the customers better by recording the call and using that as a training tool.

Mr. Ayrish commented that the survey had 15 questions and it was sent to over 11,000 architects, architect businesses, and architect applicants. The response

rate was 5.3% which was positive for surveys. The survey revealed positive results but the department planned to address the complaints that were brought to the department's attention. Mr. Harrell commented that they would research the complaints and comments and work to improve those areas.

Mr. Ayrish explained peak and non-peak call times. He reported that the department sends reminder e-mails for renewal deadlines.

Mr. Ayrish offered to break the survey comments down by sections like continuing education, renewal, examination, etc. and make that information available to the board and AIA Florida. He commented that he would like to improve services and welcomed suggestions.

Board Correspondence

No items

Chair's Report – John Ehrig

Mr. Ehrig reported that he would be attending the NCARB meeting in Charleston, SC. He commented that Ms. Clark and staff would review the rules to determine if any additional rules need updating.

Mr. Ehrig reported that NCARB would be transitioning to another computer system. During the transition examination candidates would not be able to schedule for the Architectural Registration Exam (ARE), update their records, take an exam, etc. due to a black out period beginning July 1, 2013 for approximately eight weeks. The examination content would not change. The black out information will be available on the board's web page and notifications would be sent to candidates.

Mr. Ehrig reported that NCARB had committee positions available and if any of the architects on the board would like to apply contact Rick Dunn with NCARB before May 2013 or Ms. McEwen with the board office.

Mr. Ehrig reported that the University of Florida was currently going through the National Architectural Accreditation Board review. Mr. Rodriguez commented that he thought it was valuable for every board member to be involved in the accreditation process and he could provide them a contact to participate in the accreditation process.

Mr. Rodriguez commented that it was important that the board members participate in the NCARB and NCIDQ conferences because they are mission critical to the profession because changes to the examination and internship directly affect the board's licensing of the profession. Mr. Harrell commented that

he understood the importance and would make every effort to send the board members to the meetings.

Financial Report

Financials for the period ending September 30, 2012

Ms. McEwen reviewed the operating account and advised that the expenses were down and the account was in the positive. Also, the board was in a renewal cycle so the revenue and expenses will increase in the next quarter. The unlicensed activity account was in good shape as well.

Ms. McEwen reported that she completed a training session with the Customer Contact Center agents regarding renewals, legislative changes, application, etc. She commented that the agents had some wonderful suggestions for future training and internal processes.

AIA Report – Vicki Long

Ms. Long thanked Mr. Harrell, Mr. Ayrish, Mr. Vaccaro, and Secretary Lawson for taking the time to meet with her regarding AIA Florida's concerns about the department's Customer Contact Center. She commented that the complexity of the licensure process was an issue. She commented that they would continue to work with the department.

Ms. Long reported that they were preparing for Legislative Session and that their Bill 286 regarding limitation of liabilities would be heard next week. This was legislation that passed a few years ago and Governor Christ vetoed the Bill. She reported that they were confident it will pass this year. The Bill will prevent an individual from being held economically liable for a contract entered by a professional design firm. She reported that they had four bills filed. She reported that the session would be challenging due to the numbers of new members. Legislative Day would be held April 3, 2013 to educate the Legislature about their proposed bills.

The board thanked Ms. Long for AIA Florida sponsoring the PSA.

IDAF – Doug Feldman

Ms. Young reported for Mr. Feldman that IDAF would support the language that AIA Florida filed. She reported that graduates would be able to take NCIDQ part one immediately; however, the graduate would not be certified until passing of all three parts. Parts one and two would be available more frequently than twice a year. She reported that FIU offers a Masters of Interior Design.

Ms. Young explained how the practicum section of the NCIDQ was graded. She reported that the examination was graded objectively not subjectively. The board discussed that there are items that must be addressed within the timeframe allotted for the exam. They discussed that the practicum exam does not have to be an award winning design but it requires minimum design items be addressed.

ASID – Dave Roberts

Mr. Roberts reported that they would support the language filed by AIA Florida. He reported that they would monitor for any language that would adversely affect the industry.

Prosecuting Attorney's Report – David K. Minacci

Open Licensed/Unlicensed Cases

Fines Chart – Summary

Fines Chart – Unlicensed

Fines Chart – Licensed

Billable Hours September 2012

Billable Hours October 2012

Billable Hours November 2012

Board Meeting Results July Board Meeting

Press Releases/Speaking Engagements/Other Correspondence

Mr. Minacci reported that he gave a presentation at FAMU that was video taped and was interactive with students asking questions. He reported that he did a webinar with AIA Florida as well. The board discussed getting Mr. Minacci on a circuit with the universities to teach professional practice and the need for licensure. Ms. Long reported that their chapters were interested in having Mr. Minacci give presentations in their areas.

Future Board Meetings

Embassy Suites Ft. Lauderdale – 17th Street

1100 Southeast 17th Street

Ft. Lauderdale, Florida 33316

954.315.1314

May 15, 2013, 9:00 a.m. – Probable Cause Panel Meeting

May 16-17, 2013, 9:00 a.m. – General Business Meeting

Hilton Orlando Bonnet Creek

14100 Bonnet Creek Resort Lane

Orlando, Florida 32821

407.597.3600

August 5, 2013, 9:00 a.m. – Probable Cause Panel Meeting

August 6-7, 2013, 9:00 a.m. – General Business Meeting

Hampton Inn & Suites – Downtown St. Petersburg
80 Beach Drive NE
St. Petersburg, Florida 33701
727.892.9900

November 20, 2013, 9:00 a.m. – Probable Cause Panel Meeting
November 21-22, 2013, 9:00 a.m. – General Business Meeting

New Business

No new business.

Old Business

No old business.

Adjourn

Motion: Mr. Rodriguez moved that the meeting be adjourned.

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

The meeting adjourned at 12:35 p.m.