



FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

FINAL ACTION MINUTES

**EMBASSY SUITES ORLANDO DOWNTOWN
191 EAST PINE STREET
ORLANDO, FLORIDA
(407) 835-6857**

SEPTEMBER 9, 2004

APPROVED



Jeb Bush
Governor

Diane Carr
Secretary

Division of
Professions and Regulation

Construction Industry
Licensing Board

1940 North Monroe Street

Tallahassee, FL

32399-1039

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The meeting was called to order by Michelle Kane, Chairman at 8:13 a.m.

Those present were:

Those absent were:

BOARD MEMBERS

Michelle Kane, Chairman
Joan Brown, Vice –Chairman
Robert Lang
Jacqueline Watts
Elizabeth Karcher
Michael Blankenship
Barry Kalmanson
Carl Englemeier
Mark Pietanza
Lee-En Chung
Raymond Holloway
John B. Smith
John Cox, III

BOARD MEMBERS

Edward Weller
Paul Del Vecchio

OTHERS PRESENT

Diane Guillemette, Esq., Legal Advisor, AGO
Patrick Creehan, Esq., DBPR Attorney
Tim Vaccaro, Executive Director
Stacey Merchant, Government Analyst II
Ruthanne Christie, Government Analyst I

Robert Lang gave the invocation. Lee-En Chung led the pledge of allegiance.

The following disciplines were imposed:

CASES FROM AUGUST 2004 AGENDA

Case: 2003-080634

William Allison License: CG C026897

Construction Services Co.

902 North Duval Street, Tallahassee, FL 32303

Pay administrative fines in the amount of \$3,000.00 and costs of \$235.09.

Respondent was not present

Case: 2003-087452

Sharma Baboolal License: CG C053473

Terra Mar Construction

6856 SW 22nd Street, Miramar, FL 33023

Restitution in the amount of \$49,410.92

7 hrs. addition CE 1 course on Chapter 489 F.S.

Pay administrative fines in the amount of \$1,000.00 and costs of \$151.44.

Respondent was not present

Respondent arrived after the hearing, the Board declined to reconsider the case.

Case: 2003-06418

John Bellavia License: CG C044291

Individual

7381 NW 115th Terrace, Parkland, FL 33076

Probation for 2 years years

Pay administrative fines in the amount of \$2,500.00 and costs of \$538.93.

Present were Respondent and Attorney

Case: 2001-06567 & 2002-007546

David Buchner License: CR C057515

Regal Homes of South Florida

169 Tequesta Drive, Ste. 32E, Tequesta, FL 33469

Restitution in the amount of \$3,724.00

Suspension until Restitution is paid

Pay administrative fines in the amount of \$7,500.00 and costs of \$10,514.19.

Respondent was not present

Case: 2002-004671

David Day License: CC C053274

Action Roofing of SW FL, Inc.

122 S 39th Place, Cape Coral, FL 33991

Revocation

Restitution in the amount of \$5,218.00

Pay administrative fines in the amount of \$10,000.00 and costs of \$277.60.

Respondent was not present

Case: 2002-009993
David Day License: CC C053274
Action Roofing of SW FL, Inc.
122 S 39th Place, Cape Coral, FL 33991
Revocation
Restitution in the amount of \$1,575.00
Pay administrative fines in the amount of \$16,000.00 and costs of \$246.39.
Respondent was not present

Case: 2002-014178
William Duchess License: CC C036983
Duchess Roofing, Inc.
6345 82nd Avenue N., Pinellas Park, FL 33781
Revocation
Restitution in the amount of \$3,484.09
Pay administrative fines in the amount of \$12,000.00 and costs of \$1,050.65.
Respondent was not present

Case: 2003-079438
Eduard Ferreira License: CG C060892
Individual
631 Eddy Street, Boca Raton, FL 33487
Restitution in the amount of \$17,530.00
Pay administrative fines in the amount of \$5,100.00 and costs of \$572.70.
Respondent was not present

Case: 2002-001257
Jorge Hernandez License: CG C61029
Individual
4884 Sheridan Street, Hollywood, FL 33021
Probation for 18 months
Pay administrative fines in the amount of \$1,250.00 and costs of \$1,000.00.
Respondent was not present

Case: 2003-043977
James Kilfeather License: CP C057157
JP Kilfeather Ent.
17 Oakleaf Court, Taquesta, FL 33469
Revocation
Restitution in the amount of \$9,405.00
Pay administrative fines in the amount of \$11,000.00 and costs of \$669.71.
Respondent was not present

Case: 2000-00231
James May License: CB C058110
AM Construction
451 Gardenia Street, Panama City, FL 32407-2912
Restitution in the amount of \$172,847.87
Pay administrative fines in the amount of \$1,000.00 and costs of \$1,000.00.
Respondent was not present

Case: 2003-091744 & 2003-091793
Roy Mccutheon License: CR C021236
Complete Renovation, Inc.
653 Via Milano Circle, Apopka, FL 32712
A/C service incomplete, case sent back for proper service
Present were Respondent and Attorney

Case: 2002-001958
Robert Owen License: CG C021922
Heathstone Homes, Inc.
106 Crystal View E., Stanford, FL 32773
Restitution in the amount of
Probation for 2 years
7 hrs. addition CE 4 hours on Chapter 489 F.S
Pay administrative fines in the amount of \$1,200.00 and costs of \$601.43.
Present were Respondent and Attorney

Case: 2003-058791
William Wessinger License: CG C048679
Wessinger Development Group, Inc.
10747 N.W. 18th Court, Coral Springs, FL 33071
90 days to provider proof of passing final inmspection
Pay administrative fines in the amount of \$1,500.00 and costs of \$428.93.
Respondent was not present

Case: 2002-004095
James Williams License: CP C056746
A+ Pools
4075 Packard Avenue, St. Cloud, FL 34772
Revocation
Restitution in the amount of \$5,712.57
Pay administrative fines in the amount of \$12,000.00 and costs of \$475.41.
Respondent was not present

AUGUST 2004 TOTALS

TOTAL RESTITUTION \$ **212,405.34**
TOTAL ADMINISTRATIVE FINES \$ **87,200**
TOTAL COSTS \$ **19,002.67**
REVOCATIONS **8**
PROBATIONS **8**
SUSPENSIONS **0**
VOLUNTARY RELINQUISHMENTS **1**

CONTINUED

Case: 2000-03455, 2000-08749, 2001-01736, 2001-02091, 2002-001342
Roger Grffis License: CG C024765

REJECTED SETTLEMENT STIPULATIONS

None

PULLED:

Case: 2003-073445 & 2003-073441
Dennis Hardy License: CP C029643

Case: 2003-042079
Larry Johnson License: RR 0065544

Case: 2002-014579
Kenneth McKenna License: CPC1456482

Case: 2002-015741
Ronald Rindler License: CG C037745

GRANTED FORMAL HEARING REQUESTS:

None

CASES FROM SEPTEMBER 2004 AGENDA

Case: 2003-046011
Bobby J. Brown License : CP C013255
Lorelei Pools, Inc.
4740 Holt Road, West Palm Beach, FL 33415
REVOCATION
Restitution in the amount of \$7,892.35
Pay administrative fines in the amount of \$14,000.00 and costs of \$350.14.
Respondent was not present

Case: 2003-000860
Bobby J. Brown License : CP C013255
Lorelei Pools, Inc.
4740 Holt Road, West Palm Beach, FL 33415
REVOCATION
Restitution in the amount of \$5,118.00
Pay administrative fines in the amount of \$1,500.00 and costs of \$375.08
Respondent was not present

Case: 2003-061331
Bobby J. Brown License : CP C013255
Lorelei Pools, Inc.
4740 Holt Road, West Palm Beach, FL 33415
REVOCATION
Restitution in the amount of \$4,778.80
Pay administrative fines in the amount of \$10,000.00 and costs of \$369.29
Respondent was not present

Case: 2004-000473
Barney Crutchfield License : CB C056956
B.E.C & CO., Inc.
1110 Richardson Road, Tallahassee, FL 32301
Restitution in the amount of
7 additional hours of continuing education
Pay administrative fines in the amount of \$750.00 and costs of \$235.53
Respondent was not present

Case: 2002-002958, 2002-008458, 2002-008469, 2002-001842, 2002-008507, 2002-008463, 2002-008482, 2002-003935, 2002-009248, 2002-008462, 2002-008478, 2002-004557, 2002-007248, 2002-002079, 2002-008456, 2002-008491, 2002-008468, 2002-008499, 2002-003351, 2002-006835, 2002-008457, 2002-008498
Duane D. Hill License : CG C060052
Hill Construction & Design, Inc. & Individual
12569 Proctor Avenue, Port Charlotte, FL 33981
Voluntary Relinquishment
Restitution in the amount of \$457,501.28
Restitution is for CIRF purposes only
Respondent was not present

Case: 2003-082541
Neil Hughes License : CR C056991
Dublin Homes, Inc.
6203 Courtney Cove, Apopka, FL 32703
Restitution in the amount of \$20,187.80
Pay administrative fines in the amount of \$10,000.00 and costs of \$387.95
Attorney for the Respondent was present

Case: 2002-012634
Leroy Jones License : CG C058340
Individual
2509 E. Superior Street, Opa Locka, FL 33054
Restitution in the amount of \$12,926.25
Pay administrative fines in the amount of \$7,000.00 and costs of \$1,241.01
Respondent was present

Case: 2003-085323
Sean Lilly License : CC C053255
Sean Lilly Roofing Co., Inc.
890 SW 69th Avenue, Miami, FL 33144
Restitution in the amount of \$6,810.52
Pay administrative fines in the amount of \$750.00 and costs of \$566.08
Respondent was not present
Kane served to meet quorum

Case: 2002-015613

Hammond T. Osgood License : CP C025534
Osgood Designed Pools and Spas
4340 N. Orange Blossom Trail, Orlando, FL 32804
REVOCATION

Restitution in the amount of \$4,177.23

Probation for Board voted that service by advertisement was good

Pay administrative fines in the amount of \$16,000.00 and costs of \$492.70

Respondent was not present

Case: 2003-044007

Romauld Edward Price License : CF C056847
Ron Price Plumbing & Tile
6089 Air Port Road, Port Orange, FL 32124
REVOCATION

Restitution in the amount of \$2,400.00

Pay administrative fines in the amount of \$11,000.00 and costs of \$667.87

Respondent was not present

Case: 2003-089242

Thomas Scarp License : CR C010304
Jason, Inc.
4642 Zoltran Drive, Titusville, FL 32780
REVOCATION

Restitution in the amount of \$2,445.00

Pay administrative fines in the amount of \$7,500.00 and costs of \$470.41

Respondent was not present

Case: 2002-014200

Danny Spruce License : CG C060372
Spruce, Inc.
1834 17th Street, Boca Raton, FL 33486
Restitution in the amount of \$6,316.61

Pay administrative fines in the amount of \$750.00 and costs of \$481.10

Respondent was not present

Case: 2002-009475

Joseph Sumlin License : SC C01304055 & CG C059044
All Screen Service, Inc. & Construction Solutions-USA, Inc.
303 Altamonte Drive, Ste. 1010, Apopka, FL 32703
Restitution in the amount of \$5,252.00

Probation for probation until fine is paid 4 years to pay fine, \$3,000 of restitution is due within 30 days, balance must be paid within 1 year

Mitigation - keeping license reduces consumer harm

Pay administrative fines in the amount of \$9,000.00 and costs of \$934.13

Respondent was present

Case: 2002-001537

Daniel A. Zuber License : CR C057767

Daniel Zuber Construction, Inc.

27 Northwood Road, Crawfordville, FL 32327

7 additional hours of continuing education

Pay administrative fines in the amount of \$500.00 and costs of \$351.56

Respondent was not present

Case: 2002-010129

Mark A. Zupsic License : CG C060823

Newport Contracting & Development, Inc.

6919 Spinnaker Boulevard, Englewood, FL 34224

Probation for 3 years

Pay administrative fines in the amount of \$2,000.00 and costs of \$372.50

Respondent was not present

SEPTEMBER 2004 TOTALS

TOTAL RESTITUTION \$ **535,805.84**

TOTAL ADMINISTRATIVE FINES \$ **90,750**

TOTAL COSTS \$ **7295.35**

REVOCATIONS **6**

PROBATIONS **8**

SUSPENSIONS **0**

VOLUNTARY RELINQUISHMENTS **1**

CONTINUED

None

REJECTED SETTLEMENT STIPULATIONS

None

PULLED:

Case: 2003-094619

Raul Casanova License : CG C44420

Case: 2003-090857

Eugene J. Grathwohl License : CF C039979

Case: 2003-085126

Henning Winkel License : CB C016364

GRANTED FORMAL HEARING REQUESTS:

None

With no further business the meeting was adjourned at 11:00 am