

**FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD**

**Embassy Suites Orlando – North  
225 Shorecrest Dr  
Altamonte Springs, FL 32701  
407.834.2400**

**February 13 – 15, 2013**

**MEETING MINUTES  
Approved March 15, 2013**

**Board Members Present**

Robert Moody, Chair  
W. Brian Cathey, Vice Chair  
William Sheehan  
James Evetts  
Edward Weller  
Roy Lenois  
Jacqueline Watts  
Albert Korelishn  
Michelle Kane  
Mark Pietanza  
Paul Del Vecchio  
Aaron Boyette  
Kristen Beall  
Michelle Kane

**Board Members Absent**

Carl Engelmeier  
Christopher Cobb  
Richard Kane (Thursday & Friday)

**Others Present**

Drew Winters, Executive Director, DBPR  
Amanda Wynn, Government Analyst, DBPR  
David Spingler, Government Analyst, DBPR  
Daniel Biggins, Legal Advisor, AGO  
Paul Waters, Chief Prosecuting Attorney, DBPR

## **ADDITIONAL BUSINESS ENTITIES REVIEW**

***Division I board members met for Additional Business Entities Review on February 13, 2013 from 2:00 – 3:32 pm. Mr. Boyette led the meeting. Of the 29 applications scheduled for review, 17 were approved, 4 were approved contingently, 3 were denied, 1 was continued, and 4 were withdrawn.***

### **APPROVED (17)**

Babbitt, William  
Butler, Karen  
Campesi, Patrick  
Cook II, Elmer  
De Alego III, Alberto  
Gaylord, Ryan  
Gillespie, Jamie  
Hart, Kenneth  
Lee, William  
Mauro, Anthony  
McAllister, Martin  
Searcy, Howard  
Segalis, Yakov  
Storey, James  
Tarafa, Roberto  
Tombaugh, James  
Werner Sr., Andrew

### **CONTINGENT APPROVALS (4)**

Anastasi, Robert – *Contingent upon submitting a licensing bond*  
Hickey, Gregory – *Contingent upon submitting a licensing bond or proof of a credit score of 660 or higher*  
Smith, Edgar – *Contingent upon paying a \$2,500 assessment for unlicensed activity*  
Valenzuela, Robert – *Contingent upon providing proof of W2 employment*

### **DENIED (3)**

Acosta, Ricardo  
Barfield, Kenneth  
Dorsey, Curtis

### **CONTINUED (1)**

Joki-Pesola, John – 60 days

### **WITHDRAWN (4)**

De Angelis, John  
Dionisi, Francois  
Fiddler, Kerrith  
Taylor III, John

***Division II Board members met for Additional Business Entities Review on February 14, 2013, from 1:30 – 2:30 pm. Mr. Pietanza led the meeting. Of the 16***

***applications scheduled for review, 8 were approved, 1 was approved contingently, 2 were continued, 1 was denied, and 4 were withdrawn.***

**APPROVED (8)**

Acevedo, Lauro  
Adserballe, Judith  
Hylton, Gervaise  
Jones, Scott  
Libert, Richard  
May, Lewis  
Morejon, Adalberto  
Ramirez, Roncallo

**CONTINGENT APPROVALS (1)**

Hoskins, Steven – *Contingent upon submitting proof of W2 employment*

**CONTINUED (2)**

Guerrero, Fausto – 30 days  
Maietta, Mario – 90 days

**DENIED (1)**

Kane, Paul

**WITHDRAWN (4)**

Anastasi, Robert  
Burgos Sr., Carlos  
Lee Jr., Johnie  
Sinclair, Mark

**APPLICATION REVIEW**

***Division I Board members met for Application Review on February 13, 2013 from 4:01 – 5:17 pm. Mr. Evetts led the meeting. Of the 21 applications scheduled for review, 7 were approved, 3 were continued, 7 were denied, 2 were withdrawn, and 2 were pulled.***

**APPROVED (7)**

Adams, Flooker  
Culotta, Frank  
Giraldo, Luis  
Kosciuch, Miriam  
Scott Sr., Thomas  
Scrivens Sr., Jack (as a residential contractor's license)  
Zervopoulos, John

**CONTINUED (3)**

Billings, Scott – 60 days  
Murray, Joe – 30 days  
Vale, Michael – 60 days

DENIED (7)

Alaniz, Benito  
Asadoorian, Alan  
Clark, Anthony  
Fuentes, Maria  
Ramirez, Angela  
Ransco II, James  
Voorheis Jr., William

WITHDRAWN (2)

Benavidez, Guillermo  
Hemingway, Jeffrey

PULLED (2)

Bell, William  
Riccardo, Robert

***Division II Board members met for Application Review on February 14, 2013, from 2:48 – 4:36 pm. Ms. Watts led the meeting. Of the 28 applications scheduled for review, 18 were approved, 1 was approved contingent, 4 were continued, 2 were denied, 2 were withdrawn, and 1 was pulled.***

APPROVED (18)

Abdow, Robert  
Bodden Sr., Martin  
Colkitt, Joseph  
Deighton, Robert  
Fulton, Larry  
McCormick, Kelly  
Meeks, Christopher – approved as a downgrade to a Pool/Spa Servicing license  
Mogle, Stephen  
Morrow, Marcel  
Oliveras Jr., Angel  
Paredes, Mauricio  
Prodan, Kenneth  
Rangel, Rigoberto  
Rodriguez, Nelson  
Schaller, Paul  
Schroll, Matthew  
Smith, Paul  
Spencer, Anthony

CONTINGENT APPROVALS (1)

Ritchie, Wayne – *Contingent upon submitting proof of satisfaction or payment plan of judgment*

CONTINUED (4)

Adams, Flooker – open ended to pass trade exam

Moratto, Lorraine – 60 days  
Reymann, Ronnie – 30 days  
Snyder, Michael – 60 days

DENIED (2)

Castell, Paul  
Duduks, Aaron

WITHDRAWN (2)

Colquitt, Randy  
Validivieso, Angel

PULLED (1)

Bell, William

*Division I voted unanimously to ratify the list of financially responsible officer applications.*

*Division II voted unanimously to ratify the list of financially responsible officer applications.*

**PROBATION**

***The Division I Probation Committee convened on February 14, 2013 from 10:03 – 10:15 am. Mr. Cathey led the meeting.***

**Phillip Englett, CGC055197**

Result: Satisfactory

**Samuel Joseph, CGC1518941**

Result: Continued

**Clinton Moore, CGC1511982**

Result: Stay of Suspension Lifted

**Michael Morrison, CGC1518076**

Result: Satisfactory

**Jesus Rodriguez, CGC003408**

Result: Stay of Suspension Lifted

**Kenneth Tumlin, CBC028108**

Result: Satisfactory

**Gregory Worrell, CGC1514941**

Result: Continued

**Tammy Yzaguirre, CGC1505393**

Result: Unsatisfactory

***The Division II Probation Committee convened on February 14, 2013, from 1:02 – 1:12 pm. Mr. Korelishn led the meeting.***

**Ilias Antoniou, CAC1815492**  
Result: Satisfactory

**Anthony Atkins, CCC1329527**  
Result: Satisfactory

**Laurence Borello, CCC042793**  
Result: Satisfactory

**Brian Citrano, CFC1425927**  
Result: Satisfactory

**Steven Evans, CCC1329990**  
Result: Satisfactory

**Walter Montoya, CAC1815913**  
Result: Satisfactory

**David Nash, CFC056740**  
Result: Satisfactory

**Brian Siciu, CCC1329988**  
Result: Satisfactory

### **GENERAL SESSION**

The meeting was called to order by Robert Moody, Chair, at 9:01 am. Ms. Watts gave the Invocation. Mr. Evetts led the Pledge of Allegiance.

### **REVIEW OF MINUTES**

The board voted unanimously to approve the following minutes:

- January 2013 Meeting Minutes

### **EXECUTIVE DIRECTOR'S REPORT – DREW WINTERS**

Mr. Winters gave the following report:

Mr. Winters provided the Enforcement Report to the board, provided to them by the Division of Regulation. Mr. Winters also provided the Board with the second quarter financials and iterated that the numbers look real good, for both the Recovery Fund and the CILB Operating Account.

Mr. Winters stated that there was a request that the Board get with the Bureau of Education and Testing to ensure that the examinations are up to par. Mr. Winters requested the board delegate the authority to Mr. Lenois to work with the Department in reviewing the exams.

Mr. Winters asked the Board to excuse the following absences:

Mr. Cobb  
Mr. Engelmeier  
Mr. Kane (Thursday and Friday)

With nothing further to report the board voted unanimously to approve this report.

### **CHAIRMAN'S REPORT – ROBERT MOODY**

Mr. Moody gave the following report:

Mr. Moody informed the Board that Department is moving forward with the implementation of the Irrigation Specialty Contractor's license and the Demolition Specialty Contractor's license. The irrigation test is nearly completed and the Department is looking for the April or June cycle as the first month the test is available. The demolition test is still being developed, and Mr. Moody stated he is assisting with the development as the "subject matter expert".

Mr. Moody also stated that he had breakfast with the Secretary prior to the January board meeting in which they discussed the difficulty of denying a license to someone who has gone through the entire process of applying for licensure only to be informed that they do not have the required experience. Mr. Moody stated that they came to a decision to create an FAQ for applicant's to let people know the experience requirements.

With nothing further to report the board voted unanimously to approve this report.

### **PROSECUTING ATTORNEY'S REPORT – PAUL WATERS**

Mr. Waters gave the following report:

For the month of January 2013, the overall case load was 323, down from 336 in December 2012, and up from 313 in January 2012.

There were 151 cases currently in Legal to be reviewed, 41 cases set for probable cause, and 20 cases where probable cause had been found/administrative complaints filed. 1 settlement stipulation had been approved, 2 informal hearings had been requested, and 11 cases were awaiting outside action. 3 cases were ready for default, 8 had requested formal hearings, and 1 case was referred to DOAH. 2 cases were in settlement negotiations, 8 cases were pending board dates, and 40 cases were set for board presentation. 34 cases were awaiting final orders. 0 cases were under appeal and 0 cases had been reopened.

For the month of January 2013, 82 cases were closed.

With nothing further to report the board voted unanimously to approve this report.

#### **ATTORNEY GENERAL'S REPORT – DANIEL BIGGINS**

##### **TRAVIS BONNETT – PETITION FOR VARIANCE AND WAIVER**

Mr. Bonnett was present.

Mr. Biggins presented this case stating Mr. Bonnett filed a petition for variance and waiver on December 14, 2012. The petition was noticed in the Florida Administrative Register on January 17, 2013. Mr. Biggins noted the petitioner seeks a waiver of Rule 61G4-16.005, to extend the duration of validity of his exam scores to allow him to submit the expired test scores with an application for license in lieu of retaking the examination. Mr. Biggins asked the board to consider the petition and to grant or deny the waiver as required.

After discussion the board voted to deny the petition.

##### **KEVIN CARROLL – REQUEST FOR INFORMAL HEARING**

Mr. Carroll was present.

Mr. Biggins presented this case stating Mr. Carroll's application for initial issuance of a residential pool/spa contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate the required experience, pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2013. Mr. Carroll timely requested board reconsideration.

After discussion the board voted to approve Mr. Carroll's application.

##### **ANTHONY CLARK – REQUEST FOR INFORMAL HEARING**

Mr. Clark was not present.

Mr. Biggins presented this case stating Mr. Clark's application for initial issuance of a certified general contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate the required experience, pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2013. Mr. Clark timely requested board reconsideration, and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to deny the request to vacate the denial, and voted to uphold the denial of the application

##### **COREY CLIVE – REQUEST FOR INFORMAL HEARING**



Mr. Clive was present.

Mr. Biggins presented this case stating Mr. Clive's application for initial issuance of a certified building contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate the required experience pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January 2013. Mr. Clive timely requested board reconsideration.

After discussion the board voted to uphold the denial of the application.

#### **TONY COKER – PETITION FOR VARIANCE AND WAIVER**

Mr. Coker was present.

Mr. Biggins presented this case stating Mr. Coker filed a petition for variance and waiver on January 13, 2013. The petition was noticed in the Florida Administrative Register on January 17, 2013. Mr. Biggins noted the petitioner seeks a waiver of Rule 61G4-16.005, to extend the duration of validity of his exam scores to allow him to submit the expired test scores with an application for license in lieu of retaking the examination. Mr. Biggins asked the board to consider the petition and to grant or deny the waiver as required.

After discussion the board voted to deny the petition.

#### **BARRY CONLEY – PETITION FOR DECLARATORY STATEMENT**

Mr. Conley was not present, but the board allowed an employee of Mr. Conley's, Mr. Parusch, to speak on his behalf.

Mr. Biggins presented this case stating Mr. Conley filed a petition for a declaratory statement on January 22, 2013. The petition was noticed in the Florida Administrative Register on January 29, 2013. Mr. Biggins noted the petition seeks the Board's interpretation of Section 489.105 (3)(m), Florida Statutes, as to whether a plumbing license is required for the removal and replacement of dishwasher appliances. Mr. Biggins asked the board to consider whether or not the petition meets the criteria for a declaratory statement, and to dismiss or answer as appropriate.

After discussion the board voted that the petitioner had standing. After further discussion the board voted that a license is not required to replace a dishwasher.

#### **WILLIAM COSTELLO – REQUEST FOR INFORMAL HEARING**

Mr. Costello was not present.

Mr. Biggins presented this case stating Mr. Costello's application for initial issuance of a certified general contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate the required experience pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of

Intent to Deny was filed in January 2013. Mr. Costello timely requested board reconsideration and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to vacate the denial of the application and to allow Mr. Costello to withdraw the application.

#### **HARRY FRITZ – REQUEST FOR INFORMAL HEARING**

Mr. Fritz was present.

Mr. Biggins presented this case stating Mr. Fritz' application for initial issuance of a certified residential pool/spa contractor's license via grandfathering was denied at the November 2012 meeting of the board for failing to demonstrate he has passed an examination that is substantially equivalent to the required Florida certification examination, contrary to Section 489.118, Florida Statutes. The Notice of Intent to Deny was filed in January 2013. Mr. Fritz timely requested board reconsideration.

After discussion the board voted to approve the application.

#### **PHILLIP GABY – REQUEST FOR INFORMAL HEARING**

Mr. Gaby was present.

Mr. Biggins presented this case stating Mr. Gaby's application for initial issuance of a certified roofing contractor's license was denied at the August 2012 meeting of the board for failing to demonstrate the required experience, pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in September 2012. Mr. Gaby timely requested board reconsideration, and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to vacate the denial of the application and allowed Mr. Gaby to withdraw the application.

#### **RAUL GUERRA – REQUEST FOR INFORMAL HEARING**

Mr. Guerra was not present.

Mr. Biggins presented this case stating Mr. Guerra's application to qualify an additional business entity was denied at the November 2012 meeting of the board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code. The Notice of Intent to Deny was filed in January 2013. Mr. Guerra timely requested board reconsideration.

After discussion the board voted to uphold the denial of the application.

#### **MATTHEW MILINSKI – REQUEST FOR BOARD RECONSIDERATION**

Mr. Milinski was present with Counsel, Tim Atkinson.

Mr. Biggins presented this case stating Mr. Milinski's application for initial issuance of a certified plumbing contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate the required experience, pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January 2013. Mr. Milinski timely requested board reconsideration, and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to vacate the denial of the application and allowed Mr. Milinski to withdraw the application.

### **BRIAN NOVOTNY – REQUEST FOR INFORMAL HEARING**

Mr. Novotny was present.

Mr. Biggins presented this case stating Mr. Novotny's application for initial issuance of a Class B air conditioning contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate financial stability and responsibility, pursuant to Section 489.115, Florida Statutes, and Rule 61G4-15.006, Florida Administrative Code. The Amended Notice of Intent to Deny was filed on February 14, 2013. Mr. Novotny timely requested board reconsideration.

After discussion the board voted to approve the application.

### **DAVID PADRON – MOTION TO RECONSIDER**

Mr. Padron was present.

Mr. Biggins presented this case stating Mr. Padron's application to qualify an additional business entity was denied at the September 2012 meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction work and business activities, as required by Section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in October of 2012. Mr. Padron timely requested a hearing before an Administrative Law Judge with the Division of Administrative Hearings, but agreed to allow the board to reconsider.

After discussion the board voted to approve the application.

### **GARY ROSEN – REQUEST FOR INFORMAL HEARING**

Mr. Rosen was not present.

Mr. Biggins presented this case stating Mr. Rosen's application to qualify an additional business was denied at the November 2012 meeting of the board for failing to demonstrate the qualifying agent would properly supervise the construction work and business activities, as required by Section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in January of 2013. Mr. Rosen timely requested board

reconsideration and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to vacate the denial of the application and allowed Mr. Rosen to withdraw the application.

#### **DANA STURGEON – PETITION FOR VARIANCE AND WAIVER AND REVIEW OF APPLICATION**

Mr. Sturgeon was present.

Mr. Biggins presented this case stating Mr. Sturgeon filed a petition for variance and waiver on January 16, 2013. The petition was noticed in the Florida Administrative Register on January 29, 2013. Mr. Biggins noted the petitioner seeks a waiver of Rule 61G4-16.005, to extend the duration of validity of his exam scores to allow him to submit the expired test scores with an application for license in lieu of retaking the examination. Mr. Biggins asked the board to consider the petition and to grant or deny the waiver as required. Mr. Sturgeon requested the board, under the presumption that the petition is granted, to review his application for licensure and approve or deny the application.

After discussion the board voted to deny the petition for variance and waiver. After further discussion the board allowed Mr. Sturgeon to withdraw the application for licensure.

#### **TEAM PAIN ENTERPRISES, INC. – PETITION FOR DECLARATORY STATEMENT**

A representative from Team Pain Enterprises, Inc., Charles Payne, was present.

Mr. Biggins presented this case stating Team Pain Enterprises, Inc. filed a petition for a declaratory statement on December 18, 2012. The petition was noticed in the Florida Administrative Register on January 18, 2013. Mr. Biggins noted the petition appears to seek interpretation of Rule 61G4-15.015, and whether petitioner's experience building concrete skate parks will qualify petitioner for a certified specialty license allowing him to construct concrete skate parks. Mr. Biggins asked the board to consider whether or not the petition meets the criteria for a declaratory statement, and to dismiss or answer as appropriate.

After discussion the petitioner decided to withdraw his petition.

#### **KEVIN TILLMAN – REQUEST FOR INFORMAL HEARING**

Mr. Tillman was present.

Mr. Biggins presented this case stating Mr. Tillman's application to qualify an additional business entity was denied at the November 2012 meeting of the board for failing to appear as required by Rule 61G4-15.0021, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2013. Mr. Tillman timely requested board reconsideration.

After discussion the board voted to approve the application.

### **MATTHEW WERTH – REQUEST FOR INFORMAL HEARING**

Mr. Werth was present.

Mr. Biggins presented this case stating Mr. Werth's application for initial issuance of a certified underground utility and excavation contractor's license was denied at the November 2012 meeting of the board for failing to demonstrate the required experience, pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in January of 2013. Mr. Werth timely requested board reconsideration.

After discussion the board voted to approve the application.

### **THOMAS WHELCHER – REQUEST FOR INFORMAL HEARING**

Mr. Whelcher was present.

Mr. Biggins presented this case stating Mr. Whelcher's application for initial issuance of a certified general contractor's license was denied at the September 2012 meeting of the board for failing to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in October of 2012. Mr. Whelcher timely requested board reconsideration, and requested the board vacate the denial of the application and allow him to withdraw the application.

After discussion the board voted to vacate the denial of the application and allow Mr. Whelcher to withdraw the application.

With nothing further to report the board voted unanimously to approve this report.

## **COMMITTEE REPORTS**

### **EXAMS/CE/PUBLIC AWARENESS COMMITTEE – ROY LENOIS**

Mr. Lenois gave the following report:

#### **Building Officials Association of Florida**

1<sup>st</sup> Course: Florida Laws & Rules – **approved**

2<sup>nd</sup> Course: Required Laws & Rules – **approved**

#### **Building Performance Americas USA, Inc.**

1<sup>st</sup> Course: Mitigating Existing Buildings Against Destruction from Hurricane Wind and Wind Borne Rains (*informal hearing*) - **approved**

#### **Florida Association of Plumbing, Heating & Cooling Contractors**

1<sup>st</sup> Course: Measuring Gravity Sewer Flow Accurately – **approved**

2<sup>nd</sup> Course: Resolving Fats, Oils, Grease Plumbing Problems – **approved**

- 3<sup>rd</sup> Course: Septic Care Workshop: How to Manage a Septic System – **approved**  
4<sup>th</sup> Course: The Art of Better Selling – **approved**

#### **Florida Building Codes & Standards**

- 1<sup>st</sup> Course: Modular Building Foundations (Online) – **approved**

#### **Florida Refrigeration and Air Conditioning Contractors Association**

- 1<sup>st</sup> Course: Blower Doors & Duct Blasters – Tools to Measure Performance – **approved**  
2<sup>nd</sup> Course: Copper Piping System Design for High Pressure Refrigerants – **approved**  
3<sup>rd</sup> Course: Florida Quality Installation – What's Expected of the Contractor – **approved**  
4<sup>th</sup> Course: Health Care Reform – Latest Developments on the Affordable Care Act – **approved**  
5<sup>th</sup> Course: Infrared Technology Lab – **approved**  
6<sup>th</sup> Course: Residential Chiller Technology – **approved**  
7<sup>th</sup> Course: Residential Fall Protection Essentials – **approved**  
8<sup>th</sup> Course: Variable Refrigerant Technology – **approved**  
9<sup>th</sup> Course: What's in the Cloud for HVAC Contractors – **approved**

#### **Hanley Wood Exhibitions**

- 1<sup>st</sup> Course: Change is in the Air – Air Barriers Requirements (*Informal Hearing*) – **denied**

#### **HornerExpress**

- 1<sup>st</sup> Course: Heat Pumps (1 hr) – **approved**  
2<sup>nd</sup> Course: Heat Pumps (2 hr) – **approved**  
3<sup>rd</sup> Course: Heat Pumps (3 hr) – **approved**  
4<sup>th</sup> Course: Heat Pumps (6 hr) – **approved**  
5<sup>th</sup> Course: Chlorine Generators (1 hr) – **approved**  
6<sup>th</sup> Course: Chlorine Generators (2 hr) – **approved**  
7<sup>th</sup> Course: Chlorine Generators (3 hr) – **approved**  
8<sup>th</sup> Course: Back to Basics – Selling AquaCal Heat Pumps (1 hr) – **withdrawn**  
9<sup>th</sup> Course: Back to Basics – Selling AquaCal Heat Pumps (2 hr) – **withdrawn**

#### **Information Resources for Professionals (IRP)**

- 1<sup>st</sup> Course: 2010 Florida Building Code Updates Wind and Flood – **approved**

#### **JC Code & Construction Consultants**

- 1<sup>st</sup> Course: 2010 Florida Mechanical, Plumbing, & Fuel Gas Code Update – **approved**  
2<sup>nd</sup> Course: Construction Laws & Rules – **continued**  
3<sup>rd</sup> Course: Florida Building Code Fire Protection Systems – **approved**  
4<sup>th</sup> Course: The Flood Provisions of the 2010 Florida Existing Building Code – **approved**  
5<sup>th</sup> Course: The Florida Accessibility Code – **approved**

#### **National Comfort Institute, Inc.**

- 1<sup>st</sup> Course: HVAC Systems Redesign and Renovation (*Informal Hearing*) – **approved**

#### **National Swimming Pool Foundation**

- 1<sup>st</sup> Course: Aquatic Risk Management – **approved** (classroom only)

- 2<sup>nd</sup> Course: Certified Pool and Spa Inspector Training – **approved** (classroom only)  
3<sup>rd</sup> Course: Certified Pool/Spa Operator Certification Course (Fusion) – **approved** (classroom only)  
4<sup>th</sup> Course: Pool Operator Primer (online) – **continued**  
5<sup>th</sup> Course: Recreational Water Illnesses – **approved** (classroom only)

**Training Licensing Center, Inc.**

- 1<sup>st</sup> Course: Introduction to Steam and Hot Water Boilers (*Informal Hearing*) – **approved**  
2<sup>nd</sup> Course: New Changes to the Mechanical FBC (*Informal Hearing*) – **approved**

With nothing further to report the board voted unanimously to approve this report.

**RULES/PUBLIC/LEGISLATIVE COMMITTEE – MARK PIETANZA**

Mr. Biggins gave the following report:

The following Proposed Rules have been **Noticed**:

- 61G4-12.011 Definitions (Consideration of JAPC Letter)  
61G4-18.001 Continuing Education for Certificateholders and Registrants

The following Proposed Rules have been **Adopted**:

- 61G4-15.035 Certification of Irrigation Specialty Contractors  
61G4-15.038 Demolition Specialty Contractors license

Mr. Biggins provided the Active Litigation Summary, detailed below:

**David Lawrence Padron v. DBPR** – Construction Industry Licensing Board (DOAH) – DOAH No. 12-3847 – License Denial Case. Doah hearing postponed in lieu of reconsideration of additional documents at February General Session

**Juan Carlos Cacciamani v. DBPR/Construction Industry Licensing Board** (1<sup>st</sup> DCA) – DCA No. 1D12-1811 – Appellate case dismissed as moot. Attorney’s fees denied by DCA on January 23, 2013.

**Robert Petito vs. Construction Industry Licensing Board** – DBPR (DOAH) DOAH No. 12-3154 (Formerly 11-3763) – Appeal dismissed and fees denied at DCA on license case. Attorney’s fees denied by DOAH, January 17, 2013.

Mr. Boyette asked for a status update on the Demolition license. Mr. Winters stated the Rule creating the Demolition license went effective on February 13<sup>th</sup>, 2013, and the Department is currently in the process of developing the examination. Mr. Winters stated that Mr. Hussey, Mr. Del Vecchio, and Mr. Moody all volunteered to assist in developing the exam. Mr. Winters stated that the irrigation license is a little bit further ahead.

With nothing further to report the board voted unanimously to approve this report.

## **OLD BUSINESS**

Removal of old materials from laptop.

## **NEW BUSINESS**

No new business was discussed.

With no further business the meeting was adjourned at 10:51 am.