

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Hilton Garden Inn Palm Beach Gardens
3505 Kyoto Gardens Dr.
Palm Beach Gardens, FL 33410
561.594.5833

April 13, 14-16, 2021
MEETING MINUTES

Approved August 13, 2021

Board Members Present

Rachelle Wood, Chair
Michael Strickland, Vice-Chair
Aaron Boyette
Frank Cawthon
Donald Cesarone
Brian Donovan
Mario Famada
Ted Feaster
Rick Kane
Edgar Laney
Edward McCullers

Board Members Absent

William Cathey
Keith Lawson
Robert Maphis

Others Present

Dan Biggins, Executive Director, DBPR
Donald Shaw, Senior Management Analyst Supervisor, DBPR
Jordan Jones, Government Analyst, DBPR
Ian Brown, Chief Construction Attorney, DBPR
Sally Raines, Deputy Chief Construction Attorney, DBPR
Goliath Davis, Prosecuting Attorney, DBPR
Robert Milne, Assistant Attorney General, AGO
Christopher Dierlam, Assistant Attorney General, AGO

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II

Division II Board members met for Additional Business Entities Review on April 14th, 2021 from 1:00 – 2:16pm. Mr. McCullers led the meeting. Of the 26 applications on the agenda, 11 were approved, 3 were approved contingent, 4 were denied, 3 was continued, 4 were pulled and 1 was withdrawn.

APPROVED (11)

Acosta, Antonio
Alfred, Ulrick
Alonso, Frank
Das, Subal
Elbaz, Stephen
Gonzalez Soto, Rafael
Jagat, Harry
Jagat, Harry
Kleiner, Henry
Monzon, Victor
Wallace, Jffrey

APPROVED CONTINGENT (3)

Best, Guy
Gonzalez, Carlos
Tyo, Randy

CONTINUED (3)

Boadway, Jake – 90 day continuance
McLemore, Charles – 30 day continuance
Snell, Clifford – 30 day continuance

PULLED (4)

Davis, Anthony
Ifft, Barbara
Newton, David
Rogerero, Jeremey

WITHDRAWN (1)

Freitas, Jose

DENIED (4)

Jorin, Gonzalo
Matthews, Shawn
Rathel, Billy
Rivers, Roy

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on April 14th, 2021 from 2:24 – 3:24. Mr. Famada led the meeting. Of the 28 applications on the agenda, 8 were approved, 6 were approved contingent, 2 were continued, 1 was pulled, 3 were withdrawn and 8 were denied.

APPROVED (8)

Albertie, Joshua
Cendejas, Roberto
Condit, William
Moran, Robert
Schraufnagl, Matthew
Solis Champagne, Daymel
Torline, Thomas
Torres, Reina

APPROVED CONTINGENT (3)

Butler, Kyle
Delancett, Chris
Gonzalez, Ariel
Long, Todd
Rosen, Matthew
Spicer, Marcus

CONTIINUUED (2)

Kang, Bruce – 180 day continuance
Kraja, Gentian – 90 day continuance

PULLED (4)

Bradford, Terrance

Withdrawn (2)

Contreras, Angel
Delancett, Chris
Domjan, Miklos

DENIED (8)

Barrera, Rick
Berthelot, Todd
Buitrago Gomez, Juan
Damm, Joshua
Evans, Grayson
Grigaliunas, Aidas
Noussimie-Touko, Rene
Rohan, Rory

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on April 15th, 2021 from 2:00 – 2:59pm. Mr. Cawthon led the meeting. Of the 32 applications on the agenda, 15 were approved, 3 were approved contingent, 3 were denied, 8 were continued and 3 were pulled.

APPROVED (15)

Bertolez Oliveros, Manuel
Brust, Jason
Cruz, Vladimir
Fletcher, William
Gendron, Jess
Jagat, Harry
Kendrick, Frank
Pupkiewicz, David
Pupkiewicz, David
Pupkiewicz, David
Pupkiewicz, David
Pupkiewicz, David
Rodriguez, Mario
Rogers, Mark
Vachon, Reginald

APPROVED CONTINGENT (3)

Lyle, Gary
Senra, Felipe
Simone, Donato

DENIED (3)

Dunbar, Lionel
Montana, Juan
Novoa, Cesar

CONTINUED (8)

Babazadeh, Mojaba – 60 day continuance
Boadway, Jake – 90 day continuance
Downs, James – 30 day continuance
Gomez, Glorida – 60 day continuance
Hoyos, Oscar – 30 day continuance
Mahoney, Joseph – 30 day continuance
Miles, Ronald – 30 day continuance
Rock, Jesse – 30 day continuance

PULLED (3)

Burns, Joseph

Newton, David
Rogero, Mario

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on April 15th, 2021 from 3:11 – 4:35pm. Mr. Cawthon led the meeting. Of the 40 applications on the agenda, 19 were approved, 2 were approved contingent, 5 were continued, 4 were denied, 2 were withdrawn and 8 were pulled.

APPROVED (19)

Albertie, Joshua
Andrade, Frank – downgraded to CRC
Andrews, Shara
Barnes, Justin
Bentley, Brian
Branch, Evans – downgraded to CBC
Cummins, Alex – downgraded to CBC
DeFarias, Tauan
Gibson, Dustin
Greenidge, Errol
Hladky, Michal
Johnson, Nils
Link, Robert
Martinez, Ignacio
Patel, Jigneshbhai
Pioreschi, Samuel
Roddenbery, Bryan
Shawah, Henry
Williams, Michael

APPROVED CONTINGENT (2)

Lebreton, Corey
Talbot, Jason

CONTINUED (5)

Bane, Russell – 30 day continuance
Coriano, Luis – 120 day continuance
Martinez, Rafael – 60 day continuance
Nikitin, Valeria – 30 day continuance
Peck, Michael – 30 day continuance

DENIED (4)

Andrews, Jason
Mena, Zacarias
Struthers, Samuel
Wiygul, Cheryl

Withdrawn (2)
Grilley, Tyler
Preslaski, Luke

PULLED (8)
Baker, Maynard
Bradford, Brian
Burke, Victor
Helton, Ricky
Rivera, Andrew
Samet, Arthur
Thornton, Russell
Wickstead, Frank

**Division II Board members met for Final Action on April 15th, 2021 from 9:00 – 9:02am.
Ms. Wood led the meeting.**

Case #(s): 2018050744

Damon Taylor

License #(s): CCC1327731

Voluntary Relinquished

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$1,548.54

Not present

**Division I & II Board members met for Final Action on April 15th, 2021 from 9:04 – 9:17am.
Mrs. Wood and Mr. Strickland led this meeting.**

Case #(s): 2019046857, 2019054403, 2019048189, 2019050672, 2019051903

Baudendistal, Joseph

License #(s): CGC1510533, CGC1526691, CFC1430077, CFC1428560, CCC1331627,

CCC1327432

30 day continuance

Case #(s): 2019053181

Blanton, Andrew

License #(s): CBC1257569, CCC1329632

Restitution

Pay administrative fines in the amount of \$8,000 and costs of \$133.88

Probation for 2 years

7 hours of continuing education related to Ch. 489, F.S.

Not present

Case #(s): 2020020194

Blanton, Andrew

License #(s): CBC1257569, CCC1329632

Restitution

Pay administrative fines in the amount of \$13,000 and costs of \$193.82

Probation for 2 years
7 hours of continuing education related to Ch. 489, F.S.
Not present

Case #(s): 2020050224, 2020050873, 2020050877, 2020051501, 2020051718, 2020051861, 2020052268, 2020052288, 2020052341, 2020052351, 2020052948, 2020052961, 2020053049, 2020053273, 2020053465, 2020053766, 2020054859

Allison Craft

License #(s): FRO9977
Voluntary Relinquished
Restitution
Pay administrative fines in the amount of \$170,000 and costs of \$1,000
Not present

Case #(s): 2019028513

Ruben Fred

License #(s): CGC1512739, CCC1329414, CPC1457855
Pay administrative fines in the amount of \$5,000 and costs of \$222.32
Probation for 2 years
7 hours of continuing education related to Ch. 489, F.S.
Not Present

Case #(s): 2019010609

Buck Hallock

License #(s): CGC1523372, SCC131151705
Revocation
Restitution
Pay administrative fines in the amount of \$20,000 and costs of \$425.14
Not present

Case #(s): 2020022274

Julner Moise

License #(s): CCC1329586, CGC1519611
Pay administrative fines in the amount of \$10,000 and costs of \$247.08
Probation for 2 years
7 hours of live continuing education related to Ch. 489, F.S.
Not present

**Division I Board members met for Final Action on April 15th, 2021, from 9:30 – 9:56am.
Mr. Strickland led the meeting.**

Case #(s): 2020004445, 2020001337, 2020001772, 2020012620, 2020019345, 2020022824

Juan Garcia

License #(s): CBC1262872, CBC1260053
Voluntary Relinquished – CBC1262872
Pay administrative fines in the amount of \$45,000 and costs of \$1,000
Probation for 10 years – CBC1260053
Present with counsel

Case #(s): 2020047336, 2020047407, 2020048041, 2020048086, 2020048282, 2020048338, 2020048488, 2020048678, 2020048785, 2020050454, 2020050861, 2020050936, 2020050959, 2020051095, 2020051106, 2020051193, 2020052056, 2020052347, 2020052890, 2020053047, 2020054190, 2020054852, 2020055712

George Hammond

License #(s): CGC1517899, CGC1527914

Voluntary Relinquished

Restitution

Pay administrative fines in the amount of \$230,000 and costs of \$1,000

Not present

Case #(s): 2020022212

Mikel Hannigan

License #(s): CGC1512720, CGC1525314

Revocation

Pay administrative fines in the amount of \$5,000 and costs of \$189.68

Present

Case #(s): 2019008258

Ronald Heath

License #(s): SCC131151738

Pay administrative fines in the amount of \$1,500 and costs of \$285.06

7 hours of continuing education related to Ch. 489, F.S.

Not Present / Counsel present

Case #(s): 2020002567

Eric Jon Latine

License #(s): CGC1513084

Pay administrative fines in the amount of \$500 and costs of \$43.69

7 hours of continuing education related to Ch. 489, F.S.

Present

Case #(s): 2020010190

Denis Linehan

License #(s): CRC17304

Pay administrative fines in the amount of \$5,000 and costs of \$160.45

Probation for 2 years

7 hours of continuing education related to Ch. 489, F.S.

Not Present

Case #(s): 2020040881

Ralph Carter Mervine

License #(s): CGC60150

Revocation

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$299.80

Not present

Case #(s): 2019026617

Jared Prince

Orlando, FL 32806

Revocation

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$325.66

Not present

Case #(s): 2018042474, 2019001740

Joel Seldin

License #(s): CGC1524082, CGC4186

Restitution

Pay administrative fines in the amount of \$3,000 and costs of \$767.54

Probation for 2 years

7 hours of continuing education related to Ch. 489, F.S.

Not present

Case #(s): 2020034938, 2020040415, 2020040603, 2020048105

Bryan Patrick Smith

License #(s): CBC1261677, CBC1259012, CBC1260595

Voluntary Relinquished

Restitution

Pay administrative fines in the amount of \$50,000 and costs of \$1575.70

Not present

Division II Board members convened for Probation on April 15th, 2021, from 8:30 – 8:59am. Mr. Cesarone led the meeting.

PROBATION

Daniel, Carlson, CCC1328324

Result: Satisfactory

Dotson, Perry, CMC1250466/CPC1457546

Result: Satisfactory

Jeantinor, Wisly, CCC1330899

Result: Satisfactory

O'Bannon, Daniel, CAC1816975

Result: Satisfactory

STAYS TO BE LIFTED

Gallina, John, CAC1817390/CAC1819188

Appearance 0 of 4, Satisfactory Appearances

No previous continuances

Result: 90 day continuance

Lewis, Curtis, CAC1818614

Appearance 4 of 4, Satisfactory Appearances

1 previous continuance

Result: 90 day continuance

Newcomer, Derek, CCC1329531

Appearance 4 of 8, Satisfactory Appearances

No previous continuances

Result: 90 day continuance

Division I Board members convened for Probation on April 15th, 2021, from 10:30 – 11:04pm. Mr. Donovan led the meeting.

PROBATION

Caldwell, David Clifford, SCC13049531

Result: Satisfactory

Carlson Daniel, CGC1512952

Result: Satisfactory

Dexter, John, CGC36020

Result: Satisfactory

Dotson, Perry, CBC1252653

Result: Satisfactory

Kouzine, Valeri, CBC1251205

Result: Satisfactory

Lamartina, Jeffrey, CGC1525258/CGC1519347

Result: Satisfactory

Mahmoud, Haytham, CGC1524574/CBC1260771

Result: Satisfactory

Tysinger, Harry Charles, CGC58810

Result: Packet to be reviewed at next hearing

STAYS OF SUSPENSION TO BE LIFTED

Barnett, Winthrop, CGC1508084

4 of 16 satisfactory appearances

Result: 90 day continuance

Gallina, John, CGC1521299
0 of 4 satisfactory appearances
Result: 90 day continuance

Lewis, Curtis, CRC1331471
Appearance 4 of 4 satisfactory appearances
Result: 90 day continuance

McKendry, Jason, CRC130395
Appearance 1 of 4 satisfactory appearances
Result: Stay lifted

Newcomer, Derek, CCC1329531
Appearance 4 of 8 satisfactory appearances
Result: 90 day continuance

GENERAL SESSION

The meeting was called to order by Ms. Wood, at 8:30am. Mr. Cawthon gave the Invocation. Mr. Cesarone led the Pledge of Allegiance.

EXECUTIVE DIRECTOR'S REPORT- Daniel Biggins

Mr. Biggins requested the Board excuse absences for the following board members:

- Mr. Cathey
- Mr. Lawson
- Mr. Maphis

Mr. Biggins also thanked the Board Chair and provided an update on the legislative session.

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

CHAIRMAN'S REPORT- Ms. Wood

Ms. Wood had nothing to report.

PROSECUTING ATTORNEY'S REPORT- Ian Brown

Mr. Brown provided an update on the case load of his team, and introduced Goliath Davis to the Board.

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

HEARING AND PETITIONS

ALBRIGHT, GREGORY – INFORMAL HEARING

Continued 180 days.

CIRIACO, STEPHEN – INFORMAL HEARING

Mr. Ciriaco was present.

Mr. Milne presented this case stating Mr. Ciriaco's application to qualify Master Touch Pool Services, Inc., as an additional business entity was denied at the December 2020 meeting of the Board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code, and failure to demonstrate the qualifying agent would have the ability to 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 2021. Mr. Ciriaco timely requested an informal hearing.

After discussion, the Board voted to vacate the previous denial and to allow the applicant to withdraw the application.

COLLINS, JOSHUA – INFORMAL HEARING

Mr. Collins was not present.

Mr. Mile presented this case stating Mr. Collins' application for a Certified Residential Contractor's license was denied at the October 2020 meeting of the Board for failure to meet the requirements of section 489.115 (3)(d), Florida Statutes. The Notice of Intent to Deny was filed in November of 2020. Mr. Collins timely requested an informal hearing.

After further discussion, the Board voted to vacate the previous denial and approve the application.

DOMLOJ, HUGO – PETITION FOR VARIANCE AND WAIVER

Mr. Domloj requested a continuance of 30 days, which the Board granted.

MANNING, WILLIAM – PETITION TO MODIFY FINAL ORDER

Continued 30 days.

MERRIAM, JESSICA – INFORMAL HEARING

Ms. Merriam was present.

Mr. Milne presented this case stating Ms. Merriam's application for a Certified General Contractor's license via military endorsement was denied at the January 2021 meeting of the

Board for failure to meet the requirements of section 455.02 (3), Florida Statutes. The Notice of Intent to Deny was filed in February of 2021. Ms. Merriam timely requested an informal hearing.

After discussion, the Board voted to vacate the previous denial and refer the application back to the Department for consideration.

OLIVE, DONALD – INFORMAL HEARING

Mr. Olive was not present.

Mr. Milne presented this case stating Mr. Olive's application to qualify Florida Premier Roofing, LLC as an additional business entity was denied at the January 2021 meeting of the Board for failure to appear as required by Rule 61G4-15.0021 and for failure to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in February of 2021. Mr. Olive timely requested an informal hearing.

After discussion, the Board voted to vacate the previous denial and to allow the applicant to withdraw the application.

TABER, DAVID – PETITION FOR DECLARATORY STATEMENT

Mr. Taber was not present.

Mr. Milne presented this case stating Mr. Taber filed a petition for a Declaratory Statement on February 25, 2021. The petition was noticed in the Florida Administrative Register on March 4, 2021. Mr. Milne noted the petitioner asked the Board whether a civil engineering degree with a GPA of 3.0 or higher is considered a "building construction" degree and if it is sufficient to allow an exemption from the trade knowledge examination for construction applicants.

After further discussion, the Board voted to decline to answer the petition.

RULES/PUBLIC/LEGISLATIVE – April 2021 Rules Report

61G4-12.0171 Reinstatement of Null & Void Certification or Registration

- Date sent to OFARR: 09/21/19(RD), 12/18/19(RN)
- Rule Development Published: 10/03/19 (Vol. 45/193)
- Notice Published: 01/07/20 (Vol. 46/05), 01/15/20 (JAPC Corresp.), 02/05/20 (JAPC Response), 04/06/20 (Tolled)

61G4-21.002 Definitions

- Date Rule Language Approved by Board:08/14/20
- Date sent to OFARR: 09/15/20 (RD)
- Rule Development Published: 09/23/20 (Vol. 46/No.186)
- Notice Published 02/01/2021 (Vol. 47/20)

- JAPC Letter 02/05/2021

61G4-21.003 Filing Claims

- Date Rule Language Approved by Board:08/14/20
- Date sent to OFARR: 09/15/20 (RD)
- Rule Development Published: 09/23/20 (Vol. 46/No.186)
- Notice Published 02/01/2021 (Vol. 47/20)
- JAPC Letter 02/05/2021

61G4ER20-6 Approval of Continuing Education Courses

- Date Rule Language Approved by Board: 06/12/20
- Date sent to OFARR: 06/17/20
- Rule Development Published: N/A
- Notice Published: 06/18/20 (Vol. 46/No.119)
- Adopted: N/A
- Effective: 06/17/20

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Ted Feaster

Mr. Feaster gave the following report:

APA THE ENGINEERED WOOD ASSOCIATION

1st course: After the storm – Lessons Learned about Building for High Wind Resistance: **approved**

2nd course: Framing for Success – Recognizing Framing Errors: **approved**

BUSH LAW GROUP, LLC

1st course: Loss Obligations: **approved**

FASTENING SPECIALISTS, INC.

1st course: Wind Uplift Mitigation: **denied**

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

1st course: Virtual Living Shorelines Training for Marine Contractors: **contingent approval**

HEALTH CHOICE ENTERPRISES, LLC

1st course: Medical Gas Systems Maintenance Personnel 6040: **withdrawn**

HOME INSPECTION UNIVERSITY

1st course: Pre-Drywall Inspections: **approved**

JC CODE & CONSTRUCTION CONSULTANTS, INC

1st course: Building Classification under the FBC: **approved**
2nd course: Inspecting Rated Penetrations: **approved**

KONING ENTERPRISES, INC. DBA CONTRACTORS INSTITUTE

1st course: 2020 Advanced FBC: Means of Egress (Internet): **denied**

MBITION, LLC DBA AMERICAN HOME INSPECTORS TRAINING

1st course: Florida Wind Mitigation: **denied**

PENTAIR WATER POOL AND SPA

1st course: Advanced Automation I: **denied**
2nd course: Advanced Automation II: **denied**
3rd course: Basic Automation: **denied**
4th course: Basic Filtration: **denied**
5th course: Chemical Controllers: **denied**
6th course: Electricity for the Service Professional: **denied**
7th course: Gas Fired Pool and Spa Heaters: **denied**
8th course: Heat Pumps: **denied**
9th course: Hydraulics for the Builder: **denied**
10th course: Hydraulics for the Service Professional: **denied**
11th course: Pool Cleaners: **denied**
12th course: Salt Chlorine Generators: **denied**
13th course: Swimming Pool Pumps and Motors: **denied**
14th course: Variable Speed Pool Pumps: **denied**
15th course: Waters Features and Effects: **denied**

TITAN CONTINUING EDUCATION, INC

1ST course: Estimating for Contractors: **approved**

RECOVERY FUND COMMITTEE - DON CESARONE

Mr. Cesarone gave the following report:

Larson v Paramo – Claim No. 2019-009034: **30 day continuance**
Foss v Larrazabel– Claim No. 2020-055166: **\$2,800**
Herr v Paramo – Claim No. 2020-021480: **\$16,900**
Phillips v Taylor – Claim No. 2020-052959: **\$4,500**
Carmen v Dutruch – Claim No. 2020-008901: **\$15,000**
White v Reardon – Claim No. 2020-041415: **\$15,000**
Hashemi v Whitten – Claim No. 2020-024867: **\$15,300**
Zachary v Dutruch – Claim No. 2020-056500: **\$15,000**
Jasperson v Newton – Claim No. 2020-028292: **\$50,000**
Bunting v Campbell – Claim No. 2020-003066: **\$7,050**
Graham v Favero – Claim No. 2020-050815: **\$5,775**
Brookens v Rubio – Claim No. 2020-008799: **\$4,964.02**

Faccone v Dean – Claim No. 2019-038786: **\$50,000**
Bodiford v Wilcox – Claim No. 2018-038770: **30 day continuance**

OLD BUSINESS

Removal of Board materials from laptops.

NEW BUSINESS

Mr. Cawthon discussed the requirements to attend the meeting for additional business applicants.

Ms. Wood mentioned combining Div I & Div II into a single probation committee meeting for licensees who are required to appear in front of both committees. After additional discussion, Division I voted to delegate more authority to the Department in reviewing and approving probation packets, provided that the Department provide a ratification list to the Board every month detailing the decisions that were made.

With no further business the meeting was adjourned at 9:15am.