

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

**Hilton Melbourne Beach Oceanfront
3003 North Highway A1A
Melbourne, FL 32903
321.777.5000**

May 12, 13-15, 2015

**MEETING MINUTES
Unapproved**

Board Members Present

Roy Lenois, Chair
James Evetts, Vice Chair
Robert Moody
Jacqueline Watts
Albert Korelishn
William Sheehan
Mary Layton
Keith Lawson II
Andrew Allocco
Aaron Boyette
Edward Weller
Christopher Cobb
Jason Wolf

Board Members Absent

Hector Castro
Richard Kane
Mark Pietanza
William "Brian" Cathey

Others Present

Dan Biggins, Executive Director, DBPR
Amanda Wynn, Government Analyst, DBPR
David Spingler, Government Analyst, DBPR
Aimee Odom, Regulatory Consultant, DBPR
Douglas Dolan, Legal Advisor, AGO
Rachel Clark, Legal Advisor, AGO
Kyle Christopher, Prosecuting Attorney, DBPR
Justin Vogel, Assistant Attorney, DBPR

ADDITIONAL BUSINESS ENTITIES REVIEW

Division II Board members met for Additional Business Entities Review on May 13, 2015 from 2:01 – 3:09pm. Mr. Lawson led the meeting. Of the 17 applications on the agenda, 9 were approved, 4 were continued, 2 were approved contingent, 1 was denied and 1 was withdrawn.

APPROVED (9)

Boadway, Jake A.
Doggett, Anthony
Fleming, David B.
Fonte, Jorge
Linscott, Nicholas R.
Maurer, Murray J.
McKesson, William S.
Senra, Felipe P.
Van Nuys, Scott E.

CONTINUED (4)

DeFrancesco, Michael J. - 90 day continuance
Konnick, Mark J. – 120 day continuance
Vicker, Richard M. – 60 day continuance
Corredor, Mauricio- 60 day continuance

CONTINGENT(2)

Damon, Alan D.
Kreidler, William T.

DENIED (1)

Castellon, Giraldo

WITHDRAWN (1)

Shee, Bradley K

Division I Board members met for Additional Business Entities Review on May 14, 2015, from 1:33 – 2:46 pm. Mr. Boyette led the meeting. Of the 27 applications on the agenda, 12 were approved, 5 were approved contingent, 3 were continued, 3 were denied, 3 were withdrawn and 1 was pulled.

APPROVED (12)

Boltze, Bruce E.
Bruns, Eric M.
Crews, James A.
Cuadra, Luis A.
Davila, Thiago J.
Decker, Stephen D.
Givens, Robert C.
Pelka, Jacek
Sandles, Larry J.
Sarmiento, Carlos E.

Stutevoss, Michael H.
Vlahos, Phillip J.

APPROVED CONTINGENT (5)

Glenn, Nicholas T.
Halikoytakis, Alexander A.
Ifft, Barbara J.
Lippert, Thomas
Reina, Claudia

CONTINUED (3)

Stilger, Donald L. – 90 day continuance
Bundy, Robert J. – 30day continuance
Konnick, Mark J – 120 day continuance

DENIED (3)

Alfaro, Melvin D.
Odediran, Oluremi
Simon, Fitzroy M.

WITHDRAWN (3)

Davila, Thiago J.
Davis II, Glenn A.
Griffin, Fred L.

PULLED (1)

Minus, Asbury A.

APPLICATION REVIEW

Division II Board members met for Application Review on May 13, 2015, from 3:19 – 5:08pm. Mr. Cobb led the meeting. Of the 36 applications on the agenda, 22 were approved, 1 was continued, 8 were denied, 4 were withdrawn and 1 was pulled.

APPROVED (22)

Brown, Heather L.
Brown, Kevin S.
Daughtry, William M.
Eckerd, Patrick J.
Felix, Diogo M.
Flores, Maria Y.
Heaps, Dustin M.
Marrs, David J.
McCalmon III, Thomas L
McDaniel, Paul R.
Purcella, Jeffrey W. * AC
Rodriguez, Nelson
Rojas, Jasiel
Roth, John A.

Ryman, Chad S.
Siciliano, Fred N.
Simpson, Eric
Stenholm, Andrew R.- downgrade to class B
Stokes, Susan
Stokes, Susan
Vera, Rodolfo J.
Ward, Brian J.

CONTINUED (1)

Courtney, Samuel E. – 6 month continuance

DENIED (8)

Anderson, Nathan A.
Eckhart, Rand E.
Hastings, Cody J.
Zeyrek, Omer
Douglass, Mark C.
Kelly, Kevin C.
Purcella, Jeffrey W.- *plumbing
Ruiz, Daniel E.

WITHDRAWN (4)

Bittle, David W.
Nazworth, Christopher E.
Phillips, Thomas E.
Rawlins Jr., John D.

PULLED (1)

Key Jr., David J.

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

Division I Board members met for Application Review on May 14, 2015, from 3:01– 4:46pm. Mr. Evetts led the meeting. Of the 28 applications on the agenda, 8 were approved, 9 were continued, 2 were approved contingent, 7 were denied, 2 were withdrawn and 0 were pulled.

APPROVED (8)

Aniskewicz, Christopher H – with 4 years probation
Cross, Adrian J. – with 2 years probation
Gaffney, John F.
Malone Jr., John R.
Munyan, Daniel R.
Rukse Jr., Joseph M.
Smith Sr., Stephen D.
Stenstrom, Donald L.

CONTINUED (9)

Blumberg, Jeffrey M. – 120 day continuance

Jones Jr., James E. – 120 day continuance
Lange, Jason D. – 60 day continuance
Phillips, Tony L. – 30 day continuance
Bianchini, Alessandra M. – 120 day continuance
Dilullo, John D.- 30 day continuance
Maloney, Dason C. – 60 day continuance
Torres, Daniel L. – 90 day continuance
Walz, Candace M. – 30 day continuance

APPROVED CONTINGENT (2)

Diaz, Edward H.
Hemlak, Mark J.

DENIED (7)

Antigua, Carlos L.
Cassidy, Jeffrey R.
Clayton, Kevin G.
Diaz, Nicholas A.
Hagerman, Scott G.
McKercher, Charles
Tavares, Mariana

WITHDRAWN (2)

Luque, Sandra B.
Ringelberg, Caleb J.

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

FINAL ACTION

Division I Board members met for Final Action on May 14, 2015, from 8:32am– 10:01am. Mr. Evetts led the meeting.

Case #(s): 2014015809

RENE BARGAZA

License #(s): CGC1512706

149 Bilbao St

Royal Palm Bch, FL 33411

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$3,000 and costs of \$296.93

Present

Case #(s): 2014022685

KENNETH CONSTANTINO

License #(s): CBC1119897

221 West Hibiscus Ave, #128

Melbourne, FL 32901

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$4,000 and costs of \$342.09

Present with counsel

Case #(s): 2014051316

MICHAEL COOPER

License #(s): CGC1521524, CGC1521464

11681 SW 3rd St

Plantation, FL 33325

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$3,500 and costs of \$54.45

Present

Case #(s): 2014002852

TODD LONG

License #(s): CGC1505415

403-6 NE 16th Ave

Ft Lauderdale, FL 33301

Stipulation rejected

Not Present

Case #(s): 2014000371

MICHAEL MEINTS

License #(s): CGC062256

433 Bay Shore Dr

Panama City Bch, FL 32407

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$10,000 and costs of \$242.83

Not Present

Case #(s): 2014042660

DANIEL NAVARRETE

License #(s): CBC057281

13806 Callington Dr

Wellington, FL 33414

Probation for 6 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$11,500 and costs of \$321.91

Present

Case #(s): 2014034095

WILLIAM PIPER

License #(s): CBC1256197

23 Raintree Dr

Port Orange, FL 32127

Restitution in the amount of \$5,500

Probation for 4 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$5,000 and costs of \$713.55

Present

Case #(s): 2014013078

ERIC POLANCO

License #(s): CGC1510289
3708 SW 19th Ave
Cape Coral, FL 33914
Continued 30 days
Present

Case #(s): 2014039404

JARED PRINCE

License #(s): CRC1327870
620 Shannon Rd
Orlando, FL 32806
Probation for 1 year
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$5,000 and costs of \$688.38
Present

Case #(s): 2013045607

BENEDICTINE RODRIGUES

License #(s): CBC1258278
501 NW 93rd Ave
Pembroke Pines, FL 33024
Restitution in the amount of \$2,745.99
Probation for 2 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$10,500 and costs of \$73.32
Present

Case #(s): 2014023428

FELIPE RODRIGUEZ

License #(s): CGC1512797
13706 SW 145th Ct
Miami, FL 33186
Restitution in the amount of \$4,775
Probation for 2 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$15000 and costs of \$70.63
Present

Case #(s): 2014016642

CHRISTOPHER WARDLOW

License #(s): CGC1511775
2341 Settlers Trail
St Cloud, FL 34772
Probation for 4 years
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$4,500 and costs of \$4,500
Not Present

Division I & II Board members met for Final Action on May 14, 2015, from 10:12am– 10:35am. Mr. Evetts and Mr. Lenois led the meeting.

Case #(s): 2014014412

RODOLFO CRUZ

License #(s): CGC1515019, CFC1428382, CAC1816870 & CCC1329660

350 West 61st St

Hialeah, FL 33012

Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$5,000 and costs of \$685.12

Not Present

Case #(s): 2012007644

MICHAEL LLITERAS

License #(s): CBC1251786, CPC1457124, CAC049279 & CCC1326259

1754 NE 46th St

Oakland Park, FL 33334

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$5,000 and costs of \$354.82

Satisfaction of judgment/ restitution

Not Present

Case #(s): 2014001685

JASON ROSSI

License #(s): CGC1507795, CFC1428821

102 El Greco Dr

Brandon, FL 33511

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$2,500 and costs of \$323.78

Present

Case #(s): 2014001868, 2014006656

JEFFREY SHEFFIELD

License #(s): CBC1254365, CCC1330294

2406 SE 31st St

Okeechobee, FL 34974

Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$2,500 and costs of \$774.79

Present with counsel

Division II Board members met for Final Action on May 14, 2015, from 10:38am– 11:08am. Mr. Lenois led the meeting.

Case #(s): 2013034418

DAVID ARAMBULA

License #(s): CCC1328828

424 Fillmore Ave NE

Palm Bay, FL 32907
Restitution in the amount of \$4000
7 hours additional live Continuing Education w/emphasis on Ch. 489, F.S/suspension not revocation
Pay administrative fines in the amount of \$7750 and costs of \$391.91
Present

Case #(s): 2013035187

DAVID ARAMBULA

License #(s): CCC1328828

424 Fillmore Ave NE

Palm Bay, FL 32907

Restitution in the amount of \$400

Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch. 489, F.S/suspension not revocation

Pay administrative fines in the amount of \$5000 and costs of \$308.99

Present

Case #(s): 2014026064

TOMMY BOLES

License #(s): CFC1426424

585 South Ronald Reagan Blvd, #133

Longwood, FL 32750

Pulled

Case #(s): 2013036796

MICHAEL CLARK

License #(s): CAC044867

PO Box 918

Brunell, FL 32110

Pulled

Case #(s): 2014045962

JOSEPH CORRAO

License #(s): CAC1814595

264 SE Chaney Glen

Lake City, FL 32025

Revocation

Pay administrative fines in the amount of \$25,000 and costs of \$192.34

Not Present

Case #(s): 2014026130

WILLIAM HOLLIDAY

License #(s): CAC043975

8297 Champions Gate Blvd, #371

Champion Gate, FL 33896

Pulled

Case #(s): 2014028183

DANIEL MATHESIUS

License #(s): CVC056863
2523 Kari Ct
Kissimmee, FL 34744
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$1,000 and costs of \$398.10
Present

Case #(s): 2014028699

WILLIAM PARK

License #(s): CVC056939, CVC056645
980 Sunshine Lane, Ste R&S
Altamonte Springs, FL 32714
7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.
Pay administrative fines in the amount of \$1,750 and costs of \$377.32
Not Present

PROBATION

***Division II Board Members convened for Probation on May 14, 2015 from 11:10am – 11:13am.
Mr. Korelishn led the meeting.***

MOSLEY, DREXEL, CAC1818016
Result: Unsatisfactory

SCARDINA, JAMES, CCC57964
Result: Continued

SCRUGGS, BRYAN, CCC1328687
Result: Satisfactory

***Division I Board Members convened for Probation on May 14, 2015 from 1:03 – 1:23pm.
Mr. Sheehan led the meeting.***

BRUST, JASON, SCC131151486
Result: Satisfactory

CARTER, CLIFFORD, SCC131151438
Result: Satisfactory

D'AMICO, PATRICK, CGC061281
Result: Satisfactory

KARTEN, KEVIN, CGC061616
Result: Satisfactory

PENARANDA, JAIME, CGC1513713
Result: Unsatisfactory

RODRIGUEZ, EDUARDO, CGC002283
Result: Continued

SMALL, BENNIE, CGC1509633
Result: Unsatisfactory

THOMAS, JENNY, CGC1510265
Result: Stay of Suspension lifted

GENERAL SESSION

The meeting was called to order by Roy Lenois, at 9:00am. Mr. Moody gave the Invocation. Mr. Korelishin led the Pledge of Allegiance.

Review of Minutes: The Board approved minutes for:

- Final Action: May 2014 through September 2014
- Meeting Minutes: June 2014, August 2014, September 2014 & January through March 2015.

EXECUTIVE DIRECTOR'S REPORT – Daniel Biggins

Mr. Biggins gave the following report: CILB Complaint Summary

Mr. Biggins requested the Board excuse the following absences:

Mr. Cathey
Mr. Castro
Mr. Pietanza
Mr. Moody partial absence

Mr. Biggins also notified the Board of a National, nationwide Unlicensed Activity Sting that will be going on this summer.

The Board voted unanimously to excuse the above absences.

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

CHAIRMAN'S REPORT – Roy Lenois

Mr. Lenois: Would like to recognize Mr. Harmeral, Cocoa Beach Fire Marshall and thank him for his service.

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

PROSECUTING ATTORNEY'S REPORT – KYLE CHRISTOPHER

Mr. Christopher gave the following report:

For the month of April 2015, the overall license activity case load was 661, up from 624 in March of 2015, and up from 504 in April 2014.

There were 469 cases currently in Legal to be reviewed, 2 cases set for probable cause, 36 cases where probable cause had been found/administrative complaints filed, 0 settlement stipulation approved, 1 informal hearings requested, 0 cases awaiting outside action, 20 cases ready for default, 58 formal hearings requested, 10 cases referred to DOAH, 0 cases in settlement negotiations, 0 case pending board date, 44 cases set for board presentation, 21 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of April 2015, 88 cases were closed.

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

ATTORNEY GENERAL'S REPORT – Douglas Dolan

PETER BERTOT – REQUEST FOR INFORMAL HEARING

Mr. Bertot was present.

Mr. Dolan presented this case stating Mr. Bertot's application to qualify Stonebridge Contracting, LLC as an additional business was denied at the March 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code, failure to appear as required by Rule 61-G4-15.0021, Florida Statutes, and failed to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in March of 2015. Mr. Bertot timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial and approve contingent upon proof of W-2 and bond with the entity to be qualified within 60 days.

JOSAPHAT CELESTIN – PETITION FOR DECLARTORY STATEMENT

Mr. Celestin was not present

Mr. Dolan presented this case stating that Mr. Celestin filed a petition for a declaratory statement on March 11, 2015. The petition was noticed in the Florida Administrative Register on March 30, 2015. Mr. Dolan noted the petitioner asks the Board for clarification of Section 489.105(3)(a), (b), (c), F.S., as to whether licensure under the aforementioned sections of the Florida Statues is sufficient to qualify an individual to be a construction compliance manager, or whether a local municipality may require that manager be a professional engineer.

After discussion, the board voted to decline to answer due to possible pending litigation.

SINCLAIR CERBER – REQUEST FOR INFORMAL HEARING

Mr. Cerber was present.

Mr. Dolan presented this case stating Mr. Cerber's application for a change of status of a Certified General Contractors' license denied at the February 2015 meeting of the Board for failure to demonstrate financial stability and responsibility, pursuant to section 489.115, Florida Statutes and Rule 61-G4-15.006, Florida Administrative Code, and failed to demonstrate the qualifying agent would

have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in March of 2015. Mr. Cerber timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and approves the application for a Certified General Contractors' license contingent upon proof of W-2 within 60 days.

KELLY CLARK – REQUEST FOR INFORMAL HEARING

Mr. Clark was present.

Mr. Dolan presented this case stating Mr. Clark's application to qualify Gunslinger's Roofing, Inc. as an additional business was denied at the March 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March of 2015. Mr. Clark timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and approve the application to qualify additional business.

CHARLES CONNER – REQUEST FOR INFORMAL HEARING

Mr. Conner was present.

Mr. Dolan presented this case stating Mr. Conner's application for a Certified General Contractors' license denied at the February 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March of 2015. Mr. Conner timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

VERONICA CUDMORE – REQUEST FOR INFORMAL HEARING

Ms. Cudmore was present.

Mr. Dolan presented this case stating Mr. Cudmore's application for a Certified General Contractors' license denied at the February 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code, and failed to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in March of 2015. Mr. Cudmore timely requested board reconsideration.

The applicant requested that the Board vacate the previous denial and allow the application be withdrawn. The Board voted to uphold the denial.

LARRY CURVIN – REQUEST FOR INFORMAL HEARING

Mr. Curvin was present.

Mr. Dolan presented this case stating Mr. Curvin's application for a Certified Class A Air Conditioning Contractors' license by grandfathering was denied at the January 2015 meeting of the Board because the applicant for grandfathering did not demonstrate he has passed an examination that is substantially equivalent to the required Florida certification examination as required by Section 489.118(2), Florida Statutes. The Notice of Intent to Deny was filed in February 2015. Mr. Curvin timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and applicant requested a 6 month continuance and waived the deemer.

CARLOS DAVALOS – RECONSIDERATION

Mr. Davalos was present.

Mr. Dolan presented this case stating Mr. Davalos' application to qualify Discount Rock & Sand, Inc. as an additional business was denied at the February 2015 meeting of the Board for failure to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in March 2015. Mr. Davalos timely requested board reconsideration.

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

OMAR ELKHATIB – REQUEST FOR INFORMAL HEARING

Mr. Elkhatib was present.

Mr. Dolan presented this case stating Mr. Elkhatib's application to qualify an additional business, Boynton Beach Marble & Granite, Inc., was denied at the April 2015 meeting of the Board. The board denied the application stating the applicant failed to demonstrate the qualifying agent would have the ability to supervise the construction work and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in June 2015. Mr. Elkhatib timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

DAVID FEDDON – REQUEST FOR INFORMAL HEARING

Mr. Feddon was present.

Mr. Dolan presented this case stating Mr. Feddon's application for a Certified Mechanical Contractors' license was denied at the February 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March 2015. Mr. Feddon timely requested board reconsideration.

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

DUSTIN HARDY – REQUEST FOR INFORMAL HEARING

Mr. Hardy was present.

Mr. Dolan presented this case stating Mr. Hardy's application for a Certified Commercial Pool/Spa Contractors' license was denied at the March 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March 2015. Mr. Hardy timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and approve the application for a downgrade to a Certified Residential Pool/Spa Contractor's license.

MICHAEL HOLUB – REQUEST FOR INFORMAL HEARING

Mr. Holub was not present.

Mr. Dolan presented this case stating Mr. Holub's application for a Certified Mechanical Contractors' license was denied at the March 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March 2015. Mr. Holub timely requested board reconsideration.

After discussion, the Board granted a 30-day continuance.

JOSHUA JORDAN – REQUEST FOR INFORMAL HEARING

Mr. Jordan was present.

Mr. Dolan presented this case stating Mr. Jordan's application for a Certified General Contractors' license denied at the February 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March of 2015. Mr. Jordan timely requested board reconsideration.

After further discussion, the Board voted to uphold the denial.

FAKHIR KHALIL – REQUEST FOR INFORMAL HEARING

Mr. Khalil was present.

Mr. Dolan presented this case stating Mr. Khalil's application for a Certified Class A Air Conditioning Contractors' license by grandfathering was denied at the March 2015 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code, and the applicant has open enforcement. The Notice of Intent to Deny was filed in March 2015. Mr. Khalil timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and approve the downgrade to a Class B Air Conditioning license.

JI KIM – REQUEST FOR INFORMAL HEARING

Mr. Kim was present.

Mr. Dolan presented this case stating Mr. Kim's application for a Certified Mechanical Contractors' license was denied at the February 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March 2015. Mr. Kim timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial, and allow the application to be withdrawn.

MESA – PETITION FOR DECLARTORY STATEMENT

Mr. Sapp was not present

Mr. Dolan presented this case stating that Mr. Sapp with MESA filed a petition for a declaratory statement on April 10, 2015. The petition was noticed in the Florida Administrative Register on April 22, 2015. The petitioner asks the Board, regarding Section 489.105, Florida Statutes, which license, General Contractor, Natural Gas Contractor or Underground Utility and Excavation Contractor, would be required to perform the excavation of pipelines and associated trenching activities, and whether an Underground Contractor's license is limited to work on water, sewer, and storm drain lines.

After discussion, the board voted to decline to answer the petition because the Petition does not state with particularity the petitioner's set of circumstances as required by Section 120.565(2), Florida Statutes.

JUAN ORTEGA – REQUEST FOR INFORMAL HEARING

Mr. Ortega was not present.

Mr. Dolan presented this case stating Mr. Ortega's application for a Certified General Contractors' license was denied at the February 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March 2015. Mr. Ortega timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

RICHARD SANTELLI – PETITION FOR DECLARTORY STATEMENT (PRINTED STATEMENT)

Mr. Santelli was not present

Mr. Dolan presented this case stating that Mr. Santelli filed a petition for a declaratory statement on January 27, 2015. The petition was noticed in the Florida Administrative Register on April 22, 2015. Mr. Dolan noted the petition seeks the Board's clarification of Section 489.103(7), Florida Statutes, as to whether general site work, not related to construction of a building, is included in the building cost under this statute.

After discussion, the board voted to decline to answer due to the petition not containing a specific set of circumstances as required by Section 120.565(2), F.S., and is not a substantially affected person as required by Section 120.565(1), F.S.

MICHAEL SEQUINO – REQUEST FOR INFORMAL HEARING

Mr. Sequino was present.

Mr. Dolan presented this case stating Mr. Sequino's application for a Certified Underground Utility and Excavation Contractors' license was denied at the April 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in June 2015. Mr. Sequino timely requested board reconsideration.

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

JAMES SOLA – REQUEST FOR INFORMAL HEARING

Mr. Sola was present.

Mr. Dolan presented this case stating Mr. Sola's application for a Certified Building Contractors' license was denied at the March 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. The Notice of Intent to Deny was filed in March 2015. Mr. Sola timely requested board reconsideration.

After discussion, the Board voted to uphold the denial

ROBERT SOLLIDAY – PETITION FOR DECLARTORY STATEMENT

Mr. Solliday was present.

Mr. Dolan presented this case stating that Mr. Solliday's filed a petition for a declaratory statement on March 10, 2015. The petition was noticed in the Florida Administrative Register on March 18, 2015. Mr. Dolan noted the petition seeks the Board's interpretation on Florida Statute 489.105(3)(m) "fuel oil and gasoline piping and tank and pump installation, except bulk storage plants", Does the statement imply that the Plumbing Contractor License is sufficient to install diesel fuel piping and tanks, including the installation of the tank, filter, and day-tanks, piping and pumps?

After discussion, the Board voted the petitioner has standing. After further discussion, The Board voted that yes, a plumbing contractor can perform that scope of work.

JAMES STRICKLAND – REQUEST FOR INFORMAL HEARING

Mr. Strickland was present.

Mr. Dolan presented this case stating Mr. Strickland's application for a Certified Building Contractors' license was denied at the March 2015 meeting of the Board failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code.

The Notice of Intent to Deny was filed in March 2015. Mr. Strickland timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

RAMON VALEIRO – PETITION FOR DECLARTORY STATEMENT

Mr. Valeiro was not present

Mr. Dolan presented this case stating that Mr. Valeiro filed a petition for a declaratory statement on April 9, 2015. The petition was noticed in the Florida Administrative Register on April 20, 2015. The petitioner asks the Board whether he will need a contractor's license to perform the following functions: Management of subcontractors, minimizing clients' total material costs, ensuring the correct quantity and quality of materials, materials requirements planning, selecting suppliers, purchasing materials in alignment with project schedule and budget, hiring subcontractors, arranging and controlling transportation and delivery of materials to the projects, and managing the materials on the site (receiving, inspecting, storing and controlling the release of incoming materials).

After discussion, the board voted to decline to answer because Petitioner is not substantial affected, as required by section 120.565, Florida Statutes.

Jalayer and Zhou (Petition for Variance and Waiver)

Members from the FRSA present for public comment regarding a previously answered declaratory statement: They are concerned the Board waived financial or credit requirements during the previously answered declaratory statement.

After discussion, the board could not take action against this public comment.

JOSE GARCIA – REQUEST FOR RECONSIDERATION

Mr. Garcia was present with counsel

Mr. Dolan presented this case stating Mr. Garcia's application to qualify an additional business was denied at the February 2015 meeting of the Board failure to appear, and to demonstrate the qualifying agent has the ability to supervise construction. The Notice of Intent to Deny was filed in March 2015. Mr. Garcia timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Christopher Cobb

Mr. Cobb gave the following report:

AAA CONSTRUCTION SCHOOL INC

1st course: Ten Hour OSHA Certification: **approved**

CAM TECH SCHOOL OF CONSTRUCTION INC

- 1st course: Accounting for the Small Contractor: **approved**
- 2nd course: Arbitration and Mediation : **approved**
- 3rd course: Business Communications: **approved**
- 4th course: Business Structures, Compare and Contrast: **approved**
- 5th course: Common Florida Building Code Violations: **approved**
- 6th course: Construction Change Orders: **approved**
- 7th course: Construction Contract Basics: **approved**
- 8th course: Construction Team and Workflow: **approved**
- 9th course: Daily Reporting for the Contractor: **approved**
- 10th course: Emergency Preparedness on the Job Site: **approved**
- 11th course: Employee Classification, Independent Contractor vs. Employee: **approved**
- 12th course: Florida Lien Law Basics Step by Step: **approved**
- 13th course: Florida Sales and Use Tax: **approved**
- 14th course: HAZ COM and Safety Data Sheets: **approved**
- 15th course: Hurricane Wind Mitigation and Completion of the Uniform Mitigation Verification Inspection Form for Home Inspectors: **approved**
- 16th course: Lock Out Tag Out: **approved**
- 17th course: Mark-Up and Profit: **approved**
- 18th course: OSHA Reporting and Recordkeeping: **approved**
- 19th course: The Responsible Contractor Online Required Courses: **approved**

FRSA EDUCATIONAL AND RESEARCH FOUNDATION

- 1st course: Fall Protection Requirements: **approved**
- 2nd course: FBC Fifth Edition Chapter 15 Florida Specific Review: **approved**
- 3rd course: Goodbye Traditional Marketing: FBC Fifth Edition Code Comparison of Chapter 15 & FRC Chapter 9: **continued 30 days to provide detailed timeline**
- 4th course: How to Sell Preventative Maintenance: FBC Fifth Edition Code FEBC Chapter 7: **continued 30 days to provide detailed timeline**
- 5th course: Just what is Great Service: FBC Fifth Edition Code FRC Chapter 9: **continued 30 days to provide detailed timeline**
- 6th course: Workers Compensation Basics: **approved**

JC CODE & CONSTRUCTION CONSULTANTS INC

- 1st course: 5th Edition Residential Energy Sealing the Thermal Envelope: **approved**
- 2nd course: Significant Changes to the 5th Edition Florida Building Code, Residential Volume, Ch. 4 – 10: **approved**

MIAMI DADE COLLEGE

- 1st course: Metal Roofing Profiles: **denied**

NATIONAL ROOFING CONTRACTORS ASSOCIATION

- 1st course: CERTA Train-the-Trainer Reauthorization: **60 day continuance**
- 2nd course: Roofing Industry Fall Protection from A to Z: **60 day continuance**
- 3rd course: Roofing Safety OSHA 10 Hour Program: **60 day continuance**

ONE EXAM PREP INC

- 1st course: Broward County Chapter 9: **orally amended to general- approved**
- 2nd course: Business Practices – Advertising: **approved**

3rd course: Business Practices – Business Startup: **approved**
4th course: Business Practices – Contracts: **approved**
5th course: Business Practices – Credit: **approved**
6th course: Business Practices – Customer Service: **approved**
7th course: Business Practices – Efficient Management: **approved**
8th course: Business Practices – Entrepreneurship: **approved**
9th course: Business Practices – Hiring Employees, Initial Documentation: **approved**
10th course: Business Practices – Insurance: **approved**
11th course: Business Practices – Insurance, Bonds, Liability: **approved**
12th course: Business Practices – Internet: **approved**
13th course: Business Practices – Overhead: **approved**
14th course: Laws & Rules: **approved**
15th course: Laws & Rules – Violations: **approved**
16th course: Laws & Rules – Florida Lien Law: **orally amended to general- approved**
17th course: Wind Mitigation: **approved**
18th course: Workers Compensation : **approved**
19th course: Workers Compensation – The Real Stuff: **approved**
20th course: Workplace Safety – OSHA: **approved**

PGT INDUSTRIES INC

1st course: 5th Edition (2014) Florida Building Code Update: **approved**
2nd course: Installation – Best Practices: **denied**

REDVECTOR.COM INC

1st course: Green Building with Steel – Part 3: Light Gauge Metal Components for Framing: **approved**
2nd course: LEED v4 Building Design and Construction: **approved**

THE SOTO LAW GROUP, P.A.

1st course: Florida Lien and Bond Law Primer: **orally amended to general- approved**
2nd course: Top 10 Critical Contract Provisions: **orally amended to general- approved**

SUNCOAST ARCHITECTURE & ENGINEERING LLC

1st course: Continuing Education for Outdoor Structure Contractors: **60 day continuance**

TILE ROOFING INSTITUTE (TRI)

1st course: FRSA/TRI 5th Edition (revised) Florida High Wind Tile Installation Manual Updates: **approved**

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

RULES/PUBLIC/LEGISLATIVE COMMITTEE – MARK PIETANZA

Mr. Pietanza gave the following report:

61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors

- Sent to OFARR 12/8/2014
- Rule Development Published 12/15/2014
- Adopted language 03/19/2015
- Effective: 04/08/2015

61G4-17.001 Normal Penalty Ranges

- Sent to OFARR 03/06/2015
- Rules Development Published 03/16/2015
- Notice Published 04/02/2015
- Adopted 7 day letter: 04/24/2015

The board discussed:

61G4-18.001 Continuing Education Rule:

- Board Counsel recommends the Board open this Rule for development

61G4-15.001 Certification of Examination

- Rule opened for development
- Fred Dudley: Suggests the Board use the word “occupiable” instead of “habitable” and stated he would like the Board to reconsider using the word “new” in the rule.
- Roy Leonis suggested the Board Counsel draft up language and include supporting documents and let the Board review and make changes as they see necessary
- William Sheehan suggested that the Board address in the changes requirements for construction from ground up at least once, and renovations should be included in those changes.
- Rhonda Koning submitted to Board Counsel Suggestions she had on this Rule and she will resend them to be sure they have been received. She also suggested that the Board put “employment” in suggestions and be more detailed on Full Time/Part Time hours.
- Board Counsel will put together language and supporting documents to provide to the Board.
- Board Director suggests that Board Staff set aside a specific time for the Rule Committee to discuss the Rule in depth at the July 2015 meeting.

Mr. Dolan informed the Board that they will receive language regarding the Public Comment Rule in the near future.

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

RECOVERY FUND COMMITTEE – Rick Kane

Mr. Kane gave the following report:

Barr vs. Little; Claim No. 2012-008854 – reconsideration- denied
Guzetta vs. Stasinis; Claim No. 2012-045149 – reconsideration- \$50,000.00
Tolodxi vs. Durden; Claim No. 2011-060323 – \$20,000.00
Tutterrow vs. Fortis Construction LLC.; Claim No. 2010-026500 – reconsideration- \$14,079.25
Bronhard vs. Pflieger; Claim No. 2012-013966 – reconsideration denied- \$25,000.00
Johnston vs. Jordan; Claim No. 2014-047115- \$19,700.00
Polzin vs. Marsella; Claim No. 2014-011770- continued 90 days
Campbell vs. Forbes; Claim No. 2011-031880- \$25,497.54
Mandel vs. Aguirre; Claim No. 2014-031580- \$14,250.00

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

OLD BUSINESS

Removal of old materials from laptop.

NEW BUSINESS

With no further business the meeting was adjourned at 11:17am.