

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

The Ritz-Carlton Sarasota
1111 Ritz Carlton Dr.
Sarasota, FL 34236
941.309.2050

September 12, 14-16, 2022
MEETING MINUTES

Approved January 13th, 2023

Board Members Present

Donald Cesarone, Vice-Chair
Bradley Barreto
Frank Cawthon
Mario Famada
Ted Feaster
Edward McCullers
Ashley Ross
Michael Sasso
Brian "Parks" Wilson
Rachelle Wood
Brian Zettle

Board Members Absent

Edgar Laney
Robert Maphis
Keith Lawson, II
Michael Strickland, Chair (partial)

Others Present

Melanie S. Griffin, Secretary, DBPR
Donald Shaw, Executive Director, DBPR
Jordan Jones, Senior Management Analyst, DBPR
Madison Williams, Government Analyst, DBPR
Ian Brown, Chief Construction Attorney, DBPR
Sally Raines, Deputy Chief Construction Attorney, DBPR
Alessandra Mousinho, Senior Prosecuting Attorney, DBPR
Christopher Dierlam, Assistant Attorney General, AGO

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II

Division II Board members met for Additional Business Entities Review on September 14, 2022, from 2:00pm – 3:11pm. Edward McCullers led the meeting. Of the 20 applications on the agenda, 8 were approved, 4 were approved contingent, 4 were continued, 1 was withdrawn and 3 was denied.

APPROVED (8)

Bello, Remberto
Brito, Jaime
Di Sarro, Giovanni
Giraldo, Miguel
Luna, Andres
Rivera, Louis
Ryman, Kevin
Shoumlin, Michael

APPROVED CONTINGENT (4)

Denick, Joseph
Harhold, Richard
Rojas, Jairo
Westcott, Michael

CONTINUED (4)

Epp, Carl (30 days)
McCall, James (30 days)
Owens, Keith (180 days)
Shores, Christopher (30 days)

WITHDRAWN (1)

Kleiner, Henry

DENIED (3)

Dorian, Kenneth
Galue, Fernando (2)

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on September 14, 2022, from 3:19pm to 4:41pm. Mario Famada led the meeting. Of the 26 applications on the agenda, 14 were approved, 1 was approved contingent, 4 were continued, 1 was pulled, 2 were withdrawn and 4 were denied.

APPROVED (14)

Ansley, Jeffrey
Chitarath, David
Crain, David
Cross, John
Depew, Matthew
Esquivel, Ralph

Gulsby, Justin
Kostov, Sam
Lancaster, Thomas
Shelly, Michael
Stevenson, Marquise
Tcimpidis, Joshua
Vaught, Jessie
Veradi, Anthony

APPROVED CONTINGENT (1)

Jones, Kenneth

CONTINUED (4)

Acosta, Danny (120 days)
Cruz Ramos, Juan (30 days)
Kumar, Sanjay (60 days)
Montgomery, Michael (60 days)

PULLED (1)

Esquinaldo, Bruce

WITHDRAWN (2)

Owens, Christopher
Smith, Clint

DENIED (4)

Clifford, Patrick
Hulsey, Robert
Kent, Randy
Stevens, Adam

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on September 15, 202 from 1:30pm – 2:35pm. Ted Feaster led the meeting. Of the 22 applications on the agenda, 9 were approved, 4 were approved contingent, 2 were continued, 2 were pulled, 2 were withdrawn and 3 were denied.

APPROVED (9)

Asion, Luis
Beattie, Paul
Carlson, Ryan
Carr, Nathan
Hagerman, Robert
Shoumlin, Michael
Vargas, Jose
Vellucci, Michael

Villasenor, Moises

APPROVED CONTINGENT (4)

Cruz, Resni
Munyan, Daniel
Taylor, Terrance
Winter, Timothy

CONTINUED (2)

Miller, Austin (30 days)
Monk, David (30 days)

PULLED (2)

Lamont, Keith
Romano, Anthony

WITHDRAWN (2)

Milligan, Michael
Ward, Kieran

DENIED (3)

Diaz, Samuel
Garcia, Jose
Wilford, Matthew

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on September 15, 2022, 2:46pm – 5:03pm. Robert Maphis led the meeting. Of the 38 applications on the agenda, 14 were approved, 2 were approved contingent, 7 were continued, 2 were pulled, 4 were withdrawn and 9 were denied.

APPROVED (14)

Averette, William
Bordelon, Christopher
Cates, Matthew
Cunha, Walmir
Forgaciu, Flaviu
Harris, Russell
Houghton, Christopher
Liebetreu, Ethan
Muirhead, Jake
Parker, Robert (2 years' probation)
Simpson, Andrew
Stewart, Lauren
Wegryn, Stephen
Williams, Franklin

APPROVED CONTINGENT (2)

Kislenko, Oleg
Massey, Robert

CONTINUED (7)

Coble, Yvonne (90 days)
Flaska, Kenneth (30 days)
Lucas, Dennis (90 days)
Pimienta, Maria (60 days)
Ramessar, Amrita (30 days)
Roberts, Steven (90 days)
Worthington, Geoffrey (90 days)

PULLED (2)

Evans, Donald
Gels, Steven

WITHDRAWN (4)

Abramov, Boris
Hathorn, Jonathon
Larsen, Jesse
Williams, Leon

DENIED (9)

Ahmuty, Robert
Albright, Joshua
Cook, Nathaniel
Eldick, Mahmoud
Griffin, Andrew
Herbenick, Richard
Lauchman, Travis
Olivares-Ortiz, Yuri
Talbot, Aaron

**Division II Board members met for Final Action on September 15, 2022, 9:15am – 9:37am.
Donald Cesarone led the meeting.**

Case#(s): 2021055880

Brandon Durbin

License #(s): CCC1331029

Revoked

Restitution: \$6,627.69 to Bonnie Teunis

Pay administrative fines in the amount of \$10,000 and costs of \$148.10

Not present

Case#(s): 2021002554 / 2020056661 / 2020007491

Ricardo Gamez

License #(s): CCC1328676

\$14,850.00 / \$32,250.00 / \$45,200.00

Probation: 6 years

Restitution: \$45,200 to Anthony Wright, \$32,250 to Carmen and Raphael Fernandez, and \$14,850 to Jose Fuentes, all to be paid within 2 years

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

Pay administrative fines in the amount of \$25,000 and costs of \$500

Present with counsel

Case#(s): 2021054638

Paul Douglas Garner Jr.

License #(s): CCC1331002

Revoked

Pay administrative fines in the amount of \$5,000 and costs of \$56.43

Not present

Case#(s): 2020005764

Alexander Joaquin Gomez

License #(s): CCC1330814

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 \$155.46

Not present but represented by counsel

Case#(s): 2021049733

Norma Adelina Rodriguez

License #(s): CCC1332628

Probation: 2 years

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

Pay administrative fines in the amount of \$7,000 and costs of \$69.21

Not present

**Case#(s): 2022024965 / 2022021239 / 2022026484 / 2022025639 / 2022027653 /
2022021695 / 2022022015 / 2022022010 / 2022025658 / 2022025555 / 2022022008 /
2022021789 / 2022025941 / 2022025697 / 2022027416**

Robert Warren Sigman, Jr.

License #(s): CPC1457647 / CPC1459646

Voluntarily Relinquished

Restitution: To be determined by the FHCRF

Pay administrative fines in the amount of \$150,000 and costs of \$1,000

Not present

Case#(s): 2022001446

Jacob Westman

License #(s): CCC1331937

Probation: 2 years

Restitution: \$10,000 to Joshua Higgins

Pay administrative fines in the amount of \$12,500 and costs of \$273.61
Present

Division I & II Board members met for Final Action on September 15, 2022, 9:45. Michael Strickland and Donald Cesarone led this meeting.

Case#(s): 2022003789

Felipe De Oliveira Cortes

License #(s): CCC1331572 / CFC1430419 / CGC1526317 / CMC1250791 / CMC1251013 / CVC57121 / SCC131152591 / CPC1459728

Probation: 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 \$175.60

Not present but represented by counsel

Case#(s): 2022028807 / 2022031029 / 2022029052 / 2022027662 / 2022026554 / 2022026372 / 2022025664 / 2022025200 / 2022025811

Karen Edgington

License #(s): FRO11697

Voluntarily Relinquished

Restitution: To be determined by the FHCRF

Pay administrative fines in the amount of \$90,000 and costs of \$1,000

Not present

Case#(s): 2022002560

Stanley Souvenir

License #(s): CCC1328514 / CRC1329659

Revoked

Pay administrative fines in the amount of \$10,000 and costs of \$140.62

Present

Division I Board members met for Final Action on September 15, 2022, 10:00am – 10:08 Ted Feaster led the meeting.

Case#(s): 2015049679

Keith D Chambers

License #(s): CBC36347

Motion to Reconsider withdrawn by the petitioner.

Case#(s): 2020038256

Phillip Resmondo

License #(s): CGC1512874

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 \$244.25

Not present

Case#(s): 2019053563

Phillip E Resmondo

License #(s): CGC1512874

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 \$191.71

Not present

**Division II Board members convened for Probation July 14, 2022, 8:32am – 8:41am.
Ashley Ross led the meeting.**

Boadway, Jake – CFC1429284, CFC1431064, CFC1427090

Appearance 2 of 4

Contingent Satisfactory – Submit WC Insurance with no lapse in coverage

Brignola, Peter Francis – CAC1815272

Appearance 4 of 4

Satisfactory

Probation Terminated

Faulkner, Robert Aubrey – CFC1426552

Appearance 3 of 4

Satisfactory

Early termination requested and approved

Hale, Jason – CAC1816498

Appearance 3 of 4

Early termination requested and approved

Schenk, Michael Anthony

Appearance 3 of 4

Satisfactory

Early termination requested and approved

STAYS OF SUSPENSION TO BE LIFTED FOR FAILURE TO COMPLY

- **Sittig, Bill – CPC1459127**
0 of 4 satisfactory appearances
STAY LIFTED

Division I Board members convened for Probation on September 15, 2022, 10:35am – 10:53am. Mike Strickland led the meeting.

Bessey, Jeff – CBC1258649, CBC1260880, CRC1328537

Appearance 4 of 8

Satisfactory

Appearance 5 of 8

Satisfactory – Contingent on bank statements within 30 days

Butler, Samuel – CGC1505539

Appearance 8 of 8

Satisfactory

Probation Terminated

Knighen, Lisa Ann – CBC1256809

Continued 30 days

Lauria, Anthony Jude – CGC1508461

Appearance 1 of 4

Satisfactory

Probation Terminated

Seldin, Joel – CGC4186, CGC1524082

Appearance 3 of 4

Satisfactory

Early termination requested and approved

GENERAL SESSION

The meeting was called to order by Michael Strickland, on September 16, 2022, at 8.30am – 9:52am. Michael Strickland gave the Invocation and Pledge of Allegiance.

CHAIRMAN’S REPORT – MICHAEL STRICKLAND

Mr. Strickland had nothing to report.

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

EXECUTIVE DIRECTOR’S REPORT – DONALD SHAW

Mr. Shaw had nothing to report.

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

PROSECUTING ATTORNEY’S REPORT – IAN BROWN

Mr. Brown provided an updated on his unit’s case load and staffing issues that his section is dealing with.

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

HEARING AND PETITIONS

CLAYTON AMBOY – INFORMAL HEARING

Mr. Amboy was present.

Mr. Dierlam presented this case stating Mr. Amboy’s application for a Certified Pool/Spa Servicing Contractor’s license was denied at the April 2022 meeting of the Board for failure to

demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in May of 2022. Mr. Amboy timely requested an informal hearing.

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

BARRY BREWER – INFORMAL HEARING

Mr. Brewer was present.

Mr. Dierlam presented this case stating Mr. Brewer's application for a Certified Building Contractor's license was denied at the June 2022 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 July of 2022. Mr. Brewer timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial and to approve the application as a downgrade to a Certified Residential Contractor's license.

CRAIG GRAHAM – INFORMAL HEARING

Mr. Graham was present.

Mr. Dierlam presented this case stating Mr. Graham's application for a Certified Plumbing Contractor's license was denied at the April 2022 meeting of the Board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code, and for failure to demonstrate financial stability and responsibility as required by section 489.115, Florida Statutes, and Rule 61G4-15.006, Florida Administrative Code. The Notice of Intent to Deny was filed in May of 2022. Mr. Graham timely requested an informal hearing.

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

ERIC JACKSON – INFORMAL HEARING

Mr. Jackson was present.

Mr. Dierlam presented this case stating Mr. Jackson's application for a Certified General Contractor's license was denied at the June 2022 meeting of the Board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code, and for failure to demonstrate he possesses good moral character as required by section 489.111, Florida Statutes. The Notice of Intent to Deny was filed in July of 2022. Mr. Jackson timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial and to approve the application as a downgrade to a Certified Building Contractor's license.

VADIM LATYSHEVICH – INFORMAL HEARING

Mr. Latyshevich was present.

Mr. Dierlam presented this case stating Mr. Latyshevich's application for a Certified Building Contractor's license was denied at the July 2022 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 August of 2022. Mr. Latyshevich timely requested an informal hearing.

After discussion the Board voted to vacate the previous denial and to approve the application as a downgrade to a Certified Residential Contractor.

FABIO MEIRELES – MOTION TO RECONSIDER

Mr. Meireles was present with counsel.

Mr. Dierlam presented this case stating Mr. Meireles' application for a Certified Plumbing Contractor's license was denied at the April 2022 meeting of the Board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in May of 2022. Mr. Meireles timely requested a motion to reconsider the previously entered Notice of Intent to Deny.

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

DANIEL MERAZ – PETITION FOR VARIANCE AND WAIVER

Mr. Meraz was not present.

Mr. Dierlam presented this case stating Mr. Meraz filed a petition for variance and waiver on July 18, 2022. The petition was noticed in the Florida Administrative Register on August 23, 2022. Mr. Dierlam noted the petitioner is seeking a variance or waiver of Rule 61G4-16.005, Florida Administrative Code, that states a passing examination grade shall be valid only for a period of four years from the date of the most recently passed portion of the exam.

After discussion the Board voted to deny the petition finding that the petitioner failed to establish that the Board's application of the Rule to the petitioner's circumstances would violate the principles of fairness or impose a substantial hardship.

LUIS NARANJO – INFORMAL HEARING

Mr. Naranjo was present.

Mr. Dierlam presented this case stating Mr. Naranjo's application to qualify Interior Design & Development, LLC as an additional business entity was denied at the May 2022 meeting of the

Board for failure to demonstrate that he would be able to properly supervise the business as required by Section 489.119, Florida Statutes, and Rule 61G4-15.0024, Florida Administrative Code, and for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code. The Notice of Intent to Deny was filed in June of 2022. Mr. Naranjo timely requested an informal hearing.

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

RENE NOUSSIMIE-TOUKO – INFORMAL HEARING

Mr. Noussimie-Touko was present with counsel.

Mr. Dierlam presented this case stating Mr. Nouisimie-Touko's application for a Certified Class B Air Conditioning Contractor's license was denied at the May 2021 meeting of the Board for failure to demonstrate financial stability and responsibility as required by section 489.115, Florida Statutes, and Rule 61G4-15.006, Florida Administrative Code. Mr. Noussimie-Touko requested an informal hearing.

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

PEBBLE STONE COATINGS, LLC – PETITION FOR DECLARATORY STATEMENT

Counsel for the petitioner was present.

Mr. Dierlam presented this case stating the petitioner filed a petition for a declaratory statement on August 11, 2022. The petition was noticed in the Florida Administrative Register on August 16, 2022. Mr. Dierlam noted the petitioner is seeking a determination from the Board on whether or not a state contractor's license is required for the installation of the AquaFlex Poured Surfacing System that the petitioner installs over existing structural decks and slabs installed by others.

After discussion the Board to deny the petition as the Board determined that the petitioner was attempting to use the petition as a means to determine the conduct of another person, that there was no controversy or question concerning the applicability of this statute when applied to the petitioner's circumstances, and because the petition presented issues that are substantially similar to those addressed by a previously entered declaratory statement.

JAMES SQUIRES – INFORMAL HEARING

Mr. Squires was present.

Mr. Dierlam presented this case stating Mr. Squire's application for a Certified Commercial Pool/Spa Contractor's license was denied at the June 2022 meeting of the Board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule

61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2022. Mr. Squires timely requested an informal hearing.

After discussion the Board voted to uphold the previous denial of the application.

JAMES STRICKLAND – INFORMAL HEARING

Mr. Strickland was present.

Mr. Dierlam presented this case stating Mr. Strickland's application for a Certified Roofing Contractor's license was denied at the June 2022 meeting of the Board for failure to demonstrate the required experience as required by section 489.111, Florida Statutes and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2022. Mr. Strickland timely requested an informal hearing.

After discussion the Board voted to uphold the previous denial of the application.

AARON SWEATT – INFORMAL HEARING

Mr. Sweatt withdrew his request for a hearing.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – EDWARD MCCULLERS

Mr. McCullers gave the following report:

! At Your Pace Online

- 1st Course: 2018 IMC Update: **Denied**
- 2nd Course: 2021 IMC Update Part 1: **Denied**
- 3rd Course: Electric Safety (NFPA 70E): **Denied**
- 4th Course: Residential HVAC System Replacements: **Denied**

International Code Council

- 1st Course: 2021 IPC Critical Provisions: **Denied**
- 2nd Course: Introduction to Backflow: **Approved**
- 3rd Course: Preparing the Fire Service for Responses to Energy Storage Systems: **Approved**
- 4th Course: The 7 C's of Communication in a Digital Environment: **Denied**

JC Code & Construction Consultants, Inc

- 1st Course: NEC Article 250 – Grounding & Bonding: **Approved**

Koning Enterprises Inc dba Contractors Institute

- 1st Course: CILB Required Subject Areas: **Approved (contingent on ADA information)**
- 2nd Course: Workers Compensation, Workplace Safety & Business Practices: **Approved**

Marathon Electrical Contractors

1st Course: Master Electrician CEU Training: **Denied**

Titan Continuing Education, Inc.

1st Course: Developing a Workplace Safety Training Program: **Approved**

OLD BUSINESS

- Removal of Board material from Laptops

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

- Mr. Laney (unexcused)
- Mr. Lawson (unexcused)
- Mr. Maphis (excused)
- Mr. Strickland (partial) (excused)

NEW BUSINESS

The Secretary of the Department of Business and Professional Regulation, Melanie S. Griffin, spoke to the Board, thanking them for their service and dedication. She provided updates on the staffing issues within the Office of the General Counsel and within the Department as a whole; informed the Board that the Department had taken measures to address the delays in processing applications; informed the Board that the Department was continuing to explore options to increase the cap amounts for Recovery Fund claims; and provided an update on appointments to the Board.

Mr. Shaw also recognized in the audience former board member and board chair Lee-En Chung, and thanked her for her previous service.

With no further business the meeting was adjourned at 9:56am.