

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Embassy Suites St. Augustine
300 A1A Beach Blvd
St. Augustine, FL 32080
904.461.9004

November 10, 11-13, 2020
MEETING MINUTES

Approved January 15th, 2021

Board Members Present

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

Board Members Absent

William Cathey
Keith Lawson
Michael Strickland

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
Ashanti Breeden, Senior Prosecuting Attorney, DBPR
Robert Milne, Assistant Attorney General, AGO

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II

Division II Board members met for Additional Business Entities Review on November 11th, 2020 from 2:00 – 2:33pm. Mr. McCullers led the meeting. Of the 10 applications on the agenda, 2 were approved, 3 was approved contingent, 4 were withdrawn, and 1 was denied.

APPROVED (2)

Shepard, David
Vicker, Richard

APPROVED CONTINGENT (3)

Ho, Pui Fat
Nemetz, Theodore
Tejera, Alexis

WITHDRAWN (4)

Hufham, John
Kleiner, Henry
Masiero, Mark
Quintero, Bernardo

DENIED (1)

Torres, Juan

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on November 11th, 2020 from 2:47 – 3:00pm. Mr. Cesarone led the meeting. Of the 11 applications on the agenda, 3 were approved, 1 was approved contingent, 2 were continued, 2 were pulled and 3 were denied.

APPROVED (3)

Greene, McAndrew
Jabbour, Garrett
Mangal, Latchman

APPROVED CONTINGENT (1)

Ayers, Christopher

CONTIINUED (2)

Tellez, Lexter – 60 day continuance
Wilson, Mark – 180 day continuance

PULLED (2)

Botbol, Meir
Smith, Kenneth

DENIED (3)

Lewis, Jeffrey

Lewis, Jeffrey
Lewis, Jeffrey

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on November 12th, 2020 from 1:30 – 2:01pm. Mr. Maphis led the meeting. Of the 11 applications on the agenda, 4 were approved, 3 were continued, 1 was pulled, 2 were withdrawn and 1 was denied.

APPROVED (4)

Cussianovich, Danislav
Pop-Buis, Pavel
Reyes, Ernesto
Torres, Eduardo

CONTINUED (3)

Johnson, Matthew – 90 day continuance
Morris, Donald – 60 day continuance
Possebon, Gilberto – 90 day continuance

PULLED (1)

Toledo, Armando

WITHDRAWN (2)

Kleiner, Henry
Kleiner, Henry

DENIED (1)

Douglas, James

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on November 12th, 2020 from 2:35 – 2:57pm. Mr. Boyette led the meeting. Of the 4 applications on the agenda, 1 was continued, 1 was denied, 1 was withdrawn and 1 was pulled.

CONTINUED (1)

Rodrigues, Felix – 90 day continuance

DENIED (1)

Oliveira, Daniel

WITHDRAWN (1)

Jagat, Christine

PULLED (1)

Stromme, Eric

Division II Board members met for Final Action on November 12th, 2020, from 9:07 – 9:13am. Ms. Wood led the meeting.

Case #(s): 2018051640

Juan Alvarado

License #(s): CCC1327741

4410 Daisy Meadows Drive

Katy, TX 77449

Restitution ordered-jurisdiction reserved as to amount

Pay administrative fines in the amount of \$19,000 and costs of \$144.64

Not present

Case #(s): 2018060945

Christian Anton

License #(s): CAC1816990

1389 SW 12th Ave.

Pompano Beach, FL 33069

7 hours of live Continuing Education related to Ch. 489, F.S.

Pay administrative fines in the amount of \$1,500 and costs of \$185.67

Not present

Case #(s): 2020005478

Steven High

License #(s): CPC1458763

10204 Marsh Harbor Way, Apt 8

Riverview, FL 33578

Voluntary Relinquish

Restitution ordered-jurisdiction reserved as to amount

Pay administrative fines in the amount of \$20,000 and costs of \$154.90

Not present

Division I & II Board members met for Final Action on November 12th, 2020, from 10:00 – 10:05am. Mr. Boyette led the meeting.

Case #(s): 2020001823

James Gerard

License #(s): FRO8404

4050 North Washington Blvd.

Sarasota, FL 34234

Revocation

Restitution ordered-jurisdiction reserved as to amount

Pay administrative fines in the amount of \$35,000 and costs of \$1,000

Not present

Case #(s): 2020001824

James Gerard

License #(s): FRO8404

4050 North Washington Blvd.

Sarasota, FL 34234

Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$35,000 and costs of \$1,000
Not present

Case #(s): 2020003310

James Gerard

License #(s): FRO8404
4050 North Washington Blvd.
Sarasota, FL 34234

Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$35,000 and costs of \$1,000
Not present

Case #(s): 2020004048

James Gerard

License #(s): FRO8404
4050 North Washington Blvd.
Sarasota, FL 34234

Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$35,000 and costs of \$1,000
Not present

Case #(s): 2020004130

James Gerard

License #(s): FRO8404
4050 North Washington Blvd.
Sarasota, FL 34234

Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$35,000 and costs of \$1,000
Not present

Case #(s): 2020004721

James Gerard

License #(s): FRO8404
4050 North Washington Blvd.
Sarasota, FL 34234

Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$35,000 and costs of \$1,000
Not present

Case #(s): 2020005542

James Gerard

License #(s): FRO8404
4050 North Washington Blvd.

Sarasota, FL 34234

Revocation

Restitution ordered-jurisdiction reserved as to amount

Pay administrative fines in the amount of \$35,000 and costs of \$1,000

Not present

Case #(s): 2020044372, 2020039198, 2020042289, 2020044700, 2020038290, 2020042470, 2020038533, 2020035517, 2020035981, 2020035962, 2020039241, 2020038500, 2020046121, 2020038851, 2020045276, 2020038664, 2020036225, 2020038359, 2020043436, 2020036246, 2020035971, 2020040626, 2020038630, 2020036033, 2020039865, 2020039111, 2020038639, 2020030717, 2020036130, 2020038516, 2020038648, 2019062011, 2020036117, 2020027384, 2020027392, 2020033406, 2020033818, 2020036112, 2020036197, 2020037401, 2020037464, 2020038485, 2020038644, 2020039202, 2020039897, 2020039901, 2020040561, 2020045788, 2020046239

Allison Craft

License #(s): FRO9977

409 East Oakland Avenue Suite B

Oakland, FL 34760

Voluntary Relinquish

Restitution ordered-jurisdiction reserved as to amount

Pay administrative fines in the amount of \$600,000 and costs of \$1,000

Not present

Division II Board members met for Final Action on November 12th, 2020, from 10:05 – 10:15am. Mr. Boyette led the meeting.

Case #(s): 2019030225

Angyvette Garcia

License #(s): CGC1514036, CGC1519287

1815 Purdy Ave.

Miami Beach, FL 33139

Revocation

Restitution in the amount of \$10,000

Pay administrative fines in the amount of \$7,500 and costs of \$340.97

Not present

Case #(s): 2020000843

Angyvette Garcia

License #(s): CGC1514036, CGC1519287

1815 Purdy Ave.

Miami Beach, FL 33139

Revocation

Restitution in the amount of \$49,458.90

Pay administrative fines in the amount of \$12,500 and costs of \$304.35

Not present

Case #(s): 2019039963

Robert Mervine

License #(s): CGC60150

5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$12,500 and costs of \$411.19
Not present

Case #(s): 2019052560

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$5,000 and costs of \$421.14
Not present

Case #(s): 2019056904

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$5,000 and costs of \$258.80
Not present

Case #(s): 2019058310

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$12,500 and costs of \$275.70
Not present

Case #(s): 2019060618

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$12,500 and costs of \$257.86
Not present

Case #(s): 2019060828

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$12,500 and costs of \$172.73
Not present

Case #(s): 2019061949

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$5,000 and costs of \$276.42
Not present

Case #(s): 2020001064

Robert Mervine

License #(s): CGC60150
5401 South Kirkman Road, Suite 310
Orlando, FL 32819
Revocation
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$12,500 and costs of \$316.18
Not present

Case #(s): 2019051385

Edward Newton

License #(s): CBC1259055
17265 Raintree Road
Lutz, FL 33558
Voluntary Relinquish
Restitution ordered-jurisdiction reserved as to amount
Pay administrative fines in the amount of \$17,500 and costs of \$169.63
Not present

Case #(s): 2020041970, 2020043437, 2020040847, 2020036148, 2020036248, 2020038638, 202037121, 2020039673, 2020040724, 2020036924, 2020043356, 2020037884, 2020038844, 2020045264, 2020035567, 2020045792, 2020028870, 2020044688, 2020038434, 2020037550, 2020037118, 2020041524, 2020033359, 2020037888, 2020017313, 2020041952, 2020022049, 2020039110, 2020038443, 2020034787, 2020027010, 2020035947, 2020036190, 2019058062, 2020038621, 202001383, 2019061996, 2020040475, 2020028077, 2020038390, 2020038616, 2020038619, 2020038625, 2020038673, 2020039204, 2020039248, 2020039443, 2020044539

George Hammond

License #(s): CGC1517899, CGC1527914
Voluntary Relinquish
Pay administrative fines in the amount of \$600,000 and costs of \$1,000.67

Not present

Case #(s): 2019039950, 2019038200, 2019041071, 2019041975, 2019054112, 2019052337, 2019050885, 2019056284, 2019054421, 2019058553, 2020000315, 2019059278, 2019062774, 2019056814, 2019060332, 2019060116, 2020010700, 2020020517, 2020018078

Mark Southwick

License #(s): CGC1510812

Voluntary Relinquish

Restitution ordered-jurisdiction reserved as to amount

Pay administrative fines in the amount of \$190,000 and costs of \$4,201.93

Not present

Division II Board members convened for Probation on November 12th, 2020, from 8:32 – 8:55am. Mr. Famada led the meeting.

PROBATION

Jenkins, Demetrius, CCC1329082

Result: Satisfactory

Lambeth, Patrick, CFC1427619, CMC42546

Result: Satisfactory

Mottely, Terrance, CCC1327647

Result: Satisfactory

O'Bannon, Daniel, CAC1816975

Result: 60 day continuance

Phillips, Steven B., CAC57788

Result: Satisfactory

Starkes, Darryl, CCC1330074

Result: Satisfactory

Tellez, Lexter, CFC1429335

Result: Contingent Satisfactory

Williams, Gregory, CCC1327297

Result: 60 day continuance

STAYS TO BE LIFTED

Houston, Kimberly, CCC057820

Result: 90 day continuance

Lyles, Benjamin, CCC1331105

Result: 6 month continuance

Martin, Michael, CCC1331256
Result: PULLED

Metz, Richard, CCC1330422
Result: 90 day continuance

Division I Board members convened for Probation on November 12th, 2020, from 10:28 – 10:45am. Mr. Donovan led the meeting.

Anderson, Monty, CBC1253453, CBC1260850
Result: Satisfactory

Baker, Charles F., CGC31508
Result: Satisfactory

Jenkins, Demetrius, CBC1255853
Result: Satisfactory

Lambeth, Patrick, CGC15066447
Result: Contingent Satisfactory

Rasheed, Neal S., SCC131151389
Result: Satisfactory

Williams, Andre, CGC1515496, CGC1522244
Result: Satisfactory

STAYS OF SUSPENSION TO BE LIFTED

Aranda, Dieter, CGC1517879
Result: Stay Lifted

Berman, Scott, CGC1509450
Result: Contingent Satisfactory

Bosma, Brandon, CGC1522345, CGC1522905
Result: Stay Lifted

Chatman, Mario, CGC1514617
Result: PULLED

Knighten, Lisa, CBC1256809
Result: Stay Lifted

Lyles, Benjamin, CBC1255137
Result: 6 month continuance

Metz, Richard, CBC1259671, CBC1260409
Result: Stay Lifted

Moore, Johnathan, CGC1513984
Result: 60 day continuance

Southwick, Mark, CGC1510812
Result: Stay Lifted

GENERAL SESSION

The meeting was called to order by Mr. Boyette, at 8:30am. Mr. Donovan gave the Invocation. Ms. Wood 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. Strickland

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

CHAIRMAN'S REPORT- Aaron Boyette

Mr. Boyette had nothing to report.

PROSECUTING ATTORNEY'S REPORT- Ian Brown

Mr. Brown had nothing to report.

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

HEARING AND PETITIONS

BOOTH, JOSHUA – INFORMAL HEARING

Mr. Booth was present.

Mr. Milne presented this case stating Mr. Booth's application for a Certified General Contractor license was denied at the March 2020 meeting of the Board for failure 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 April of 2020. Mr. Booth timely requested an informal hearing.

After discussion, the Board confirmed the action of the Board at the October meeting, and did not vote.

BROCKMAN, CHAD – INFORMAL HEARING

Mr. Brockman was present.

Mr. Milne presented this case stating Mr. Brockman's application for a Certified Air Conditioning Contractor License, Class B, was denied at the June 2020 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code and failure to provide a current consumer credit report as defined in rule 61G4-12.011, F.A.C. The Notice of Intent to Deny was filed in July of 2020. Mr. Brockman timely requested an informal hearing.

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

BROWN, STEVEN – INFORMAL HEARING

Mr. Brown was present with counsel.

Mr. Milne presented this case stating Mr. Brown's application for a Certified Plumbing Contractor's License was denied at the August 2020 meeting of the Board for failure 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 of 2020. Mr. Brown timely requested an informal hearing.

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

GARE, CHRISTOPHER – INFORMAL HEARING

Mr. Gare was present with counsel.

Mr. Milne presented this case stating Mr. Gare's application for a Certified Air Conditioning Contractor's License, Class A, was denied at the August 2020 meeting of the Board for failure 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 of 2020. Mr. Gare timely requested an informal hearing.

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

GOODWIN, JAMES – INFORMAL HEARING

Mr. Goodwin was present.

Mr. Milne presented this case stating Mr. Goodwin's application to qualify Kajima Building Design Group, Inc., as an additional business entity was denied at the July 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 of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in September of 2020. Mr. Goodwin timely requested an informal hearing.

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

PEREZ, HUMBERTO – INFORMAL HEARING

Mr. Perez was not present.

Mr. Milne presented this case stating Mr. Perez's application to qualify Stone Design Source LLC, as an additional business entity was denied at the August 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 of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in September of 2020. Mr. Perez timely requested an informal hearing.

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

PRESCOTT, BRADLEY – PETITION FOR DECLARATORY STATEMENT

Mr. Prescott was present.

Mr. Milne presented this case stating Mr. Prescott filed a petition for a Declaratory Statement on September 24, 2020. The petition was noticed in the Florida Administrative Register on October 5, 2020. Mr. Milne noted the petitioner asked the Board whether there are state licensing requirements for the activities he performs in replacing an existing sink with a new sink.

After discussion, the board voted to deny the declaratory statement.

THIBODEAU, ANDREW – INFORMAL HEARING

Mr. Thibodeau was present.

Mr. Milne presented this case stating Mr. Thibodeau's application for a Certified General Contractor's License was denied at the August 2020 meeting of the Board for failure 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 2020. Mr. Thibodeau timely requested an informal hearing.

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

VAN BEEK, MATTHEW – INFORMAL HEARING

60 day continuance

VAN HOEVEN, DAVID – MOTION TO RECONSIDER

Mr. Van Hoeven was present with counsel.

Mr. Milne presented this case stating Mr. Van Hoeven's application to qualify an additional business entity, Total Roofing of Florida, LLC, was denied at the March 2020 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rules 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in April of 2020. Mr. Van Hoeven requested a formal hearing in front of an Administrative Law Judge at the Division of Administrative Hearing, but requested to appear back in front of the Board first, seeking a reconsideration of the denial.

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

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Ted Feaster

Mr. Feaster gave the following report:

FLORIDA HOME BUILDERS ASSOCIATION

1st course: Building and Retrofitting in Florida (Classroom): **approved**

2nd course: Building and Retrofitting in Florida (Internet): **approved**

GANGELHOFF, BRIAN DAVID

1st course: A Pool's Best Friend, Inc. Pool/Spa Servicing Contractor 60-Hour Course: **withdrawn**

HOME INSPECTION UNIVERSITY

1st course: Mechanical: **60 day continuance**

JC CODE & CONSTRUCTION CONSULTANTS, INC

1st course: Flood Vents – Where and Why: **approved**

2nd course: Interpreting the NEW FEMA Elevation Certificate Form: **approved**

3rd course: Mobile Homes in Special Flood Hazards Areas: **denied**

4th course: Protecting Building Utilities from Flood Damage: **approved**

5th course: The Flood Provisions of the Florida Building Code, Existing Building: **approved**

KONING ENTERPRISES, INC. DBA CONTRACTORS INSTITUTE

1st course: The Truth About Stucco Defects (Internet/Webinar): **approved**

PGT INDUSTRIES, INC.

1st course: Florida Building Code, 7th Edition (2020) Update: **denied**

OLD BUSINESS

Removal of Board materials from laptops.

NEW BUSINESS

The Board discussed what they would like to talk about at the December board meeting.

With no further business the meeting was adjourned at 9:50am.