

**FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD**

**GENERAL SESSION MINUTES**

**SHERATON ORLANDO DOWNTOWN HOTEL  
60 SOUTH IVANHOE BLVD  
ORLANDO, FL 32804**

**JUNE 15, 2007**

**GENERAL SESSION MINUTES**

The meeting was called to order by Paul Del Vecchio, Chair, at 8:33 a.m.

**BOARD MEMBERS PRESENT**

Paul Del Vecchio, Chair  
Raymond Holloway, Vice-Chair  
Peggy Bailey  
Joan Brown  
Lee-En Chung  
Lorie Clark  
Joe Cook  
Barry Kalmanson  
Carl Engelmeier  
James Flaherty  
Michelle Kane  
Mark Pietanza  
Robert Stewart  
Jacqueline Watts  
Don Wilford

**BOARD MEMBERS ABSENT**

Edward Weller

**OTHERS PRESENT**

Diane Guillemette, Legal Advisor, AGO  
Samantha Hunter, Legal Advisor, AGO  
April Hammonds, Chief Prosecuting Attorney, DBPR  
Michael Golen, Assistant General Counsel, DBPR  
G.W. Harrell, Executive Director, DBPR  
Andy D. Janecek, Government Analyst I, DBPR  
Amanda Abbott, Government Analyst, DBPR  
Marc Drexler, FHCRF Attorney, DBPR  
Valeria Singleton, FHCRF Staff, DBPR

Ms. Bailey gave the invocation. Mr. Kalmanson led the Pledge of Allegiance.

## **REVIEW OF THE MINUTES**

- **FINAL ACTION – MAY 2007**

The Board voted unanimously to approve these minutes.

### **EXECUTIVE DIRECTOR'S REPORT – G.W. HARRELL**

Mr. Harrell gave the following report:

Mr. Harrell asked the board to submit their travel vouchers as soon as possible to make sure this trip is paid for out of the current budget and not next fiscal's years budget.

Mr. Harrell also informed the board that complaints have slowed down and that may be an indication the hurricane related complaints have calmed down.

With no further discussion the board voted unanimously to approve this report.

### **CHAIRMAN'S REPORT – PAUL DEL VECCHIO**

Mr. Del Vecchio asked the Board members to excuse the absence Edward Weller.

The Board voted unanimously to excuse these absences.

Mr. Del Vecchio thanked the board for the knowledge that's been shown the past few meetings.

With no further discussion the board voted unanimously to approve this report.

### **PROSECUTING ATTORNEY'S REPORT – APRIL HAMMONDS**

Ms. Hammonds gave the following report:

For the month of May 2007 the overall case load was 1,671, down from 1,682 from April 2007, and up from 1,514 from May 2006.

There were 616 cases to be reviewed in Legal, 200 cases set for probable cause, and 217 where probable cause had been found/administrative complaints filed. 91 cases were ready for default, 28 cases had stipulations executed/informal hearings requested, and 222 had requested formal hearings. There were 21 cases referred to DOAH, 66 cases in settlement negotiations, 62 cases awaiting final orders, and 148 cases set for board presentation. There were 0 cases under appeal and 0 cases reopened. There were 287 cases closed for the month of May.

The board voted unanimously to adopt local discipline against the following registered contractors:

**Robert D. Arroyo (RG 291103663, QB 40296) – Multiple license revocation**

**Euill A. Clark (RC 41264) – 2007025553 – Fine**

**Daniel L. Denton (RP 252554879) – 2007027191 – Revocation**

**Abel Fuentes (RG 291103709, QB 47715) – 2007029947 – Multiple license revocation**

**Xochitlh Ortiz (RB 29003400, QB 46700) – Multiple license revocation**

**Alexander Pena (RB 29003324, QB 3883) – Multiple license revocation**

**Onelio Perez (RC 29027178, QB 38852) – Multiple license revocation**

**Edgar E. Reyes (RG 291103691) – 2007025254 – Relinquish license, Fine, Costs, Local Compliance**

**Raul Rivero (RG 291103655, RA 13037332, QB 39722) – Multiple License Revocation**

**Israel Ruiz (RG 291103687, RR 29027186, QB 39616) – 2007029969 – Multiple license revocation**

**Juan A. Santos (RG 291103651, RA 13037246, QB 27489) – 2007030039 – Multiple license revocation**

With no further discussion the board voted unanimously to approve this report.

#### **RECOVERY FUND ATTORNEY'S REPORT – MARC DREXLER**

Mr. Drexler gave the following report:

The Recovery Fund had awarded approximately \$1.6 million for the year and have received about 285 claims for the year. 59 claims were received for May 2007, of which 26 were not accepted. About a third of those were either claims against Division II contractors.

With no further discussion the board voted unanimously to approve this report.

#### **ATTORNEY GENERALS REPORT – DIANE GUILLETTE**

##### **HENRY K. CAVALIERE – REQUEST FOR REINSTATEMENT OF STAY OF SUSPENSION**

Mr. Cavaliere was present with counsel Tim Perry.

Ms. Guillemette presented this as a request to reinstate the stay of suspension on Mr. Cavaliere's license. Mr. Cavaliere was originally placed on probation for one year as a condition of licensure, and the stay of suspension was lifted in May of 2007 for failure to appear at his probation appearance. The petition to reinstate the stay of suspension was filed in May of 2007.

After discussion the board voted unanimously to grant the request to reinstate the stay of suspension with 3 additional years of probation and 2 unsatisfactory appearances.

##### **THOMAS EVANS – REQUEST FOR REINSTATEMENT OF STAY OF SUSPENSION**

Mr. Evans was present.

Ms. Guillemette presented this as a request to reinstate the stay of suspension on Mr. Evan's license. Mr. Evans was originally placed on probation as a result of discipline for case 2002015259. The stay of suspension was lifted on Mr. Evan's license in March of 2007 for failure to appear at his probation appearance. The petition to reinstate the stay was filed in May of 2007.

After discussion the board voted to grant the request to reinstate the stay of suspension.

### **GUIDO GONZALEZ AND AZTE AMERICAN BUILDERS, INC. – REQUEST FOR INFORMAL HEARING**

Mr. Gonzalez was present.

Ms. Guillemette presented this case stating Guido Gonzalez's application for initial licensure as a certified building contractor was denied at the January 2007 meeting of the board for failure to demonstrate financial stability. As a result, the qualified business application for Azte American Builders, Inc. was denied for failing to have a qualifying agent. The Notices of Intent to Deny were filed in April of 2007. Mr. Gonzalez timely requested board reconsideration.

After discussion the board voted unanimously to approve the applications with 4 years probation.

### **HARDIN CONSTRUCTION – PETITION FOR DECLARATORY STATEMENT**

Mr. Hardin withdrew the petition.

### **CHRISTOPHER JETTINGHOFF, EAST COAST CONSTRUCTION SERVICES, LLC – REQUEST FOR INFORMAL HEARING**

Mr. Jettinghoff was present.

Ms. Guillemette presented this case stating Christopher Jettinghoff's application for initial licensure as a registered building contractor was denied at the January 2007 meeting of the board for failure to demonstrate proof of good moral character. As a result, the qualified business application for East Coast Construction Services, LLC was denied for failing to have a qualifying agent. The Notices of Intent to Deny were filed in April of 2007. Mr. Jettinghoff timely requested board reconsideration.

After discussion the board voted unanimously to approve the applications with 4 years probation.

### **WILLIAM KILBOURN – REQUEST FOR REINSTATEMENT OF NULL & VOID LICENSE**

Mr. Kilbourn was present.

Ms. Guillemette presented this case as a request by Mr. Kilbourn to reinstate his Null & Void certified building contractors license. Mr. Kilbourn's license went Delinquent in 2002 and went to Null & Void in 2004. The petition to reinstate the Null & Void license was filed in March of 2007.

After discussion the board voted unanimously to

### **CHARLES LARSON – REQUEST FOR REINSTATEMENT OF NULL & VOID LICENSE**

Mr. Larson was present.

Ms. Guillemette presented this case as a request by Mr. Larson to reinstate his Null & Void certified air conditioning contractors license. Mr. Larson's license went Delinquent in 1998 and went Null & Void in 2000. The petition to reinstate the Null & Void license was filed in January of 2007.

After discussion the board voted unanimously to deny the request for failing to show a good faith effort to renew.

### **LAWRENCE LOTT AND GULF WINDS ROOFING, LLC – REQUEST FOR INFORMAL HEARING**

Mr. Lott was present.

Ms. Guillemette presented this case stating Lawrence Lott's application for initial licensure as a certified roofing contractor was denied at the March 2007 meeting of the board for failure to demonstrate the required experience. As a result, the qualified business application for Gulf Winds Roofing, LLC was denied for failing to have a qualifying agent. The Notices of Intent to Deny were both filed in April of 2007. Mr. Lott timely requested board reconsideration.

After discussion the board voted unanimously to uphold the denial of the application, and also recommended an unlicensed activity investigation be opened against Mr. Lott.

### **MARK LOWY – REQUEST FOR REINSTATEMENT OF STAY OF SUSPENSION**

Mr. Lowy was present.

Ms. Guillemette presented this case as a request to reinstate the stay of suspension on Mr. Lowy's certified roofing contractors license. Mr. Lowy's license was originally placed on probation for 2 years as a result of discipline on case 200104824. The stay of suspension was lifted in August of 2006 for failure to appear at his probation appearance. The petition to reinstate the stay of suspension was filed in May of 2007.

After discussion the board voted unanimously to reinstate the stay of suspension with one unsatisfactory appearance on his probation record.

### **DANIEL MANCINI, RMEC, INC. – REQUEST FOR INFORMAL HEARING**

Mr. Mancini requested a 30 day continuance.

After discussion the board voted unanimously to grant the 30 continuance request.

### **DAVID MIMMS AND A-ACTION ROOFING COMPANY, LLC – REQUEST FOR INFORMAL HEARING**

Mr. Mimms was not present.

Ms. Guillemette presented this case stating David Mimms' application to qualify an additional business entity with his certified general contractor's license was denied at the January 2007 meeting of the board for failure to appear as required. As a result, the qualified business application for A-Action Roofing Company, LLC was denied for failing to have a qualifying agent. The Notices of Intent to Deny in April of 2007. Mr. Mimms timely requested board reconsideration.

After discussion the board voted unanimously to uphold the denial of the applications.

#### **RODNEY WILLIAMS – RECONSIDER THE FINAL ORDER**

Mr. Williams was not present.

Ms. Guillemette presented this case stating Rodney Williams' petition to reinstate his Null & Void license was denied at the August 2006 meeting of the board. Mr. Williams requested a hearing in front of the Division of Administrative Hearings which was held in January of 2007. At that hearing, the administrative law judge upheld the denial, but stated the petitioner should get his untimely paid fees refunded. Mr. Williams is requesting the board rule on the exceptions in the recommended order.

After discussion the board voted to make no changes to the recommended order and instructed a final order be drafted affirming the recommended order.

#### **ROLINDA DAWN WILLIAMS AND ROMEX CONSTRUCTION, INC. – REQUEST FOR INFORMAL HEARING**

Ms. Williams was present.

Ms. Guillemette presented this case stating Rolinda William's application for initial licensure as a certified general contractor was denied at the February 2007 meeting of the board for failure to demonstrate the required experience and for being convicted of or found guilty of crimes related to the practice of contracting. As a result, the qualified business application for Romex Construction, Inc. was denied for failing to have a qualifying agent. The Notices of Intent to Deny were filed in April of 2007. Ms. Williams timely requested board reconsideration.

After discussion the board voted unanimously to uphold the denial.

With no further discussion the board voted unanimously to approve this report.

#### **COMMITTEE REPORTS**

##### **ADDITIONAL BUSINESS ENTITIES COMMITTEE – MARK PIETANZA**

Mr. Pietanza gave the following report:

##### Applications Approved

Allingham, Richard

Ayers, Charles

Batchellor, Fred

Buchanan, Frank

Debolt, Heather – with probation

Fonseca, Alexander  
Jordan, Thomas  
Kamenoff, Larry  
Lapete, Frank  
Mahler, Ronald  
McCullers, Raymond  
McKimm, Thomas  
Munilla, Jorge  
O'Brien, Daniel  
Parks, Michael  
Purdy, Glen  
Purdy, Glen Norman  
Robbins, Jeffrey  
Rodriguez, Ray  
Russi, Luis  
Savidakis, Michael  
Sivalls, Jeffrey  
Sofarelli, Michael  
Torres, Miguel  
Wooten, Neil – with \$9,100 assessment

Applications Denied

Arrasmith, Larry  
Carney, Michael  
Caron, Mark  
Fronzini, Oscar  
Herd, Bill  
Lignarolo, Francesco

Applications Continued

Brown, Darien – 30 days  
Carapezza, Ann – 30 days  
Rinehart, Stephen – 30 days  
Rinehart, Stephen – 30 days

The Board voted unanimously to accept the recommendations of this committee.

**EXAMS/CE/PUBLIC AWARENESS COMMITTEE – RAYMOND HOLLOWAY**

Mr. Holloway gave the following report:

**LORMAN BUSINESS CENTER, INC. (0000837)**

Establishing and Operating Homeowners' Associations – denied, not related

**CONTRACTORS EXAM SCHOOL (0000862)**

Hurricane Shutter Designs – approved  
Concrete Masonry Construction – approved  
Laws and Rules Related to construction Industry – approved, no laws and rules

**CONSTRUCTION SERVICES ENTERPRISES, INC. (0000909)**

Defining the Hidden Cost when Estimating & Bidding a Project – approved  
Leadership 1 – approved

**B.T. BUILDERS, INC. (0000958)**

Fair Housing Act – approved

**UNIVERSITY OF FLORIDA TREEO CENTER (0000995)**

Learning to LEED Part 1 – approved

Learning to LEED Part 1 & 2 – approved

**PLUMBING CONTRACTORS ASSOCIATION (000987)**

How to Get Paid on a Construction Project – approved

**ROGINA, INC (0001092)**

Mold: Removal or Prevention During the Construction Phase

**UF/PROGRAM FOR RESOUC E EFFICIENT COMMUNITIES (001129)**

Financial Regulations for Contracting – approved

Preserving Wildlife Habitat in Residential Development – denied, not related

**KONING ENTERPRISES INC. DBA CONTRACTORS INSTITUTUE (0001189)**

Florida Stucco & Lath Code Overview – approved

F.S. Chapter 455-Business and Professional Regulation – approved

F.S. Chapter 455-Business and Professional Regulation (Internet version) – approved

Understanding Florida Stucco & Lath Codes (Internet version) – approved

**FLORIDA EDUCATION PLANNERS' ASSOCIATION (FEFPA) (0001202)**

Preparing for and Managing after a Hurricane – approved

DOE Update (Classroom) – denied, not related

FL Accessibility Code for Building construction Chapter 11 Advanced Course – approved

Construction Project Delivery Systems and Procurement Practices – approved

**CONTRACTOR'S EDUCATION SOURCE, INC.**

Introduction to Mold – approved, no interactivity unqualified instructor

**TITIAN CONTINUING EDUCATION, INC. (0002890)**

Chapter 489 – approved

**UNITED POOL AND SPA ASSOCIATION (0002996)**

Variable Frequency Drives

**CONTRACTOR EDUCATION SYSTEMS, INC (CES.INC) (0003444)**

Contractors Comprehensive Continuing Education Seminar – Course A6 – approved

**ADVANCED BUILDER'S COLLEGE (0003796)**

Energy Efficient Building Construction in Florida – approved

**TRIFECTA CONSTRUCTION SOLUTIONS (0004059)**

Designation Standards for Green Homes by the FL Green Building Coalition

**EQUIPMENT SALES CORPORATION DBA THE PARTS STORE (0004158)**

Commercial Rooftop Unit Installation & Troubleshooting – denied, sales

**360TRAINING.COM, INC. (0003625) – approved**

NEC 2005: Grounding & Bonding – approved, 1 hour only  
Introduction to OSHA & the OSH Act – approved  
OSHA General Safety & health Provisions – approved  
Personal Protective Equipment – approved  
Stairway & Ladders – approved  
Lockout/Tagout – approved  
Business Writing – approved  
Electrical Safety – approved  
Electrical Fundamentals – approved  
Florida Advanced Building Code – approved  
HFPA 70E – approved  
FL Workers' Compensation Law – approved

**ROGER BOUCHARD INSURANCE, INC DBA BOUCHARD INSURANCE - approved**

Work Comp 201 – approved  
OSHA 10 Hour Course – approved  
OSHA 30 Hour Course – approved

**ENERGY & ENVIRONMENTAL BUILDING ASSOCIATION – (EEBA) – approved**

Houses that Work – approved

**PROFESSIONAL ASSOCIATION FOR CONTINUING EDUCATION, INC – approved**

Alternate Dispute Resolution – approved  
Getting Paid and the Right Stop Work – approved  
Forms of Business Entities – approved  
Florida Lien Law – approved  
Florida Construction Liens and Bonds – approved  
Contractor Licensing Law – approved  
Business Transition Planning – denied, not related  
Asset Protection for Contractors – approved  
Risk Management in Construction – approved

**FLORIDA HOME BUILDERS ASSOCIATION (0000916)**

Commercial Contracts & Law – approved  
Jobsite Spanish for Contractors – approved  
Workforce & Affordable Housing Update – denied, not related  
How to Build to Comply with the NFIP 50 Percent Rule – approved  
Construction Fall Protection – approved  
Scaffold Safety Awareness – approved  
Home Structural Rating Systems – approved

**THE HVAC TRAINING INSTITUTE, INC – approved**

The Basics of Commercial HVAC Systems – approved

**WALLACE WELCH & WILLINGHAM – approved**

Workers' Compensation...The Insiders Guide on How You Can Control Costs and Navigate the Landscape – approved

**RECOVERY FUND/FINANCE COMMITTEE – JOAN BROWN**

Ms. Brown gave the following report:

01-C0145 – Continued  
02-C0196 – \$27,000  
2005065700 – Denied  
2005030391 – \$25,000  
2006042517 – \$12,000  
2006048609 – Denied  
2006048992 – Denied  
2006049213 – Denied  
2006049903 – \$25,000  
2006054527 – \$2,568.91  
2006058085 – Denied  
2006063054 – \$4,000  
2006064644 – \$7,639.24  
2006066548 – \$20,000  
2006067273 – Continued  
2007005491 – \$20,163.32  
2007005502 – \$2,000  
2007006034 – \$37,984.68  
2007007709 – \$22,005.50  
2007009953 – \$9,503.05  
2007010490 – \$25,000  
2007010640 – \$1,350  
2007010651 – \$2,700  
2007010658 – \$2,900

A total of \$246,814.70 was awarded.

With no further discussion the board voted unanimously to approve this report.

#### **PROBATIONS COMMITTEE – CARL ENGELMEIER**

Mr. Engelmeier gave the following report:

**Louis Sclease, III, (CGC 36233)**

Result: Satisfactory

With no further discussion the board voted unanimously to approve this report.

#### **APPLICATION REVIEW COMMITTEE – JACQUELINE WATTS**

Ms. Watts gave the following report:

##### Applications Approved

Baker, Charles F.

Brown, Paul

Riley, Robert Warren

Fitzgerald, Steven J.

West, Gary Leonard

##### Applications Denied

Adams, Christopher S.

Dasher, Coy Burke

Mujahid, Muhammad  
Kelly, James J.  
Tuffs, III, Thomas Martin  
Killoren, Timothy J.  
Lariviere, Ronald V.

Applications Withdrawn

Schmidt, Mark S.  
Vinitski, John Michael  
Puerta, Sandra E.

With no further discussion the board voted unanimously to approve this report.

**RULES/PUBLIC/LEGISLATIVE COMMITTEE – BARRY KALMANSON**

Mr. Kalmanson gave the following report:

The following Rules have been **Developed:**

61G4-12.021 Committee Structure

61G4-15.005 Requirements for Certification and Registration

61G4-15.006 Financial Responsibility, Definition, Grounds for Denial

61G4-15.033 Certification of Marine Specialty Contractors

61G4-16.001 Written Certification Examination Requirements

61G4-21.002 Definitions

The following Rules have been **Noticed:**

61G4-15.001 (5) Qualification for Certification

61G4-15.0021 Certification and Registration of Business Organizations

The following Rules have been **Adopted:**

61G4-18.001 (2) Continuing Education Requirements for Certificateholders and Registrants

With no further discussion the board voted unanimously to approve this report.

**AD HOC FINANCIAL MISCONDUCT COMMITTEE – PAUL DEL VECCHIO**

Mr. Del Vecchio gave the following report:

Discussion of Legislative implementation occurred.

With no further discussion the board voted unanimously to approve this report.

**OLD BUSINESS**

No Old Business was discussed.

**NEW BUSINESS**

No New Business was discussed.