



# Division of Hotels and Restaurants

## *2015-2016 Annual Report*

**Rick Scott**

*Governor*

**Ken Lawson**

*Secretary*

2601 Blair Stone Road

Tallahassee, Florida

32399

[www.MyFloridaLicense.com](http://www.MyFloridaLicense.com)





**Ken Lawson, Secretary**

**Rick Scott, Governor**

Dear Friends:

Fiscal Year 2015/2016 was an exciting time at the Department of Business and Professional Regulation. As Secretary, I have had the privilege of leading a dedicated team through making many improvements for our licensees and Florida's consumers.

As the head of this agency, it is my responsibility to help make Florida the best place for businesses to operate. I believe the way to make this happen is to use smart regulation, strong but fair enforcement and good lines of communication with our customers.

Regulation is smart when it helps businesses grow and protects Floridians without making life more difficult for professionals to succeed. Enforcing our rules and regulations is necessary, but this enforcement must be fair above all else and our licensees deserve a voice throughout the regulation and enforcement process. We value communication with our customers and rely on each of you to let us know what is working, what is not working and what we can do better.

Making it easier for Floridians to get to work is DBPR's top priority. We are continually committed to streamlining processes, eliminating cumbersome and unnecessary regulation and providing exceptional customer service. Feedback from our customers and partners will ensure we stay on track to make that happen. As you enjoy your next meal at a Florida restaurant or travel to an in-state hotel, remember that DBPR's Division of Hotels and Restaurants is here to serve you.

Sincerely,



Ken Lawson

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## DIVISION OF HOTELS AND RESTAURANTS

The Division of Hotels and Restaurants (division) is responsible for licensing, inspecting and regulating public lodging and food service establishments in Florida.<sup>1</sup> The mission of the division is to protect the health and safety of the public by providing the industry with quality inspections and fair regulation. The division is also responsible for licensing and regulating elevators, escalators and other vertical conveyance devices.<sup>2</sup>

The division is organized into four main units:

- Director's Office
- Bureau of Sanitation and Safety Inspections
- Bureau of Field Services
- Bureau of Elevator Safety

During the past Fiscal Year, the division was authorized 308 positions to provide program services and an operating budget of \$23,102,943. During this period, the division:

- Operated its seventh full year of centralized public food service plan review in Tallahassee providing cost reductions and faster turnaround for its customers;
- Conducted a total of 118,136 public food service and lodging establishment inspections to ensure sanitation and safety standards (see tables on pages 11-13);
- Performed more than 92% of the statutorily required inspections for public food service and lodging establishments (see table on page 13), compared to 74% in 2005; and
- Cited a total of 784,555 violations of sanitary standards in public food service and lodging establishments (see tables on pages 14-20).

Additionally:

- The division's restaurant inspection program is the largest in the country to achieve five national standards of program excellence.
- Since 2005 the number of food service licenses has increased about 22%, lodging licenses about 10%, elevator licenses almost 24%, and the number of plan reviews submitted annually has increased almost 35%.

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<sup>1</sup> Pursuant to Chapter 509, Florida Statutes.

<sup>2</sup> Pursuant to Chapter 399, Florida Statutes.

## OFFICE OF THE DIRECTOR

**Rick Akin, Director**

The Office of the Director oversees all operations and activities of the division. The Director manages the preparation of the division's annual legislative budget requests; ensures that appropriated funds are properly disbursed; and is responsible for implementing legislative changes to Chapters 399 and 509, Florida Statutes, as well as promulgating rules and regulations related to the division's programs. The Director works closely with the department's legal staff regarding matters of enforcement and compliance, as well as emergency closures for establishments posing an immediate health or safety threat to the public.

## BUREAU OF SANITATION AND SAFETY INSPECTIONS

**Cathy Tucker, Bureau Chief**

During Fiscal Year 2015-16, the Bureau of Sanitation and Safety Inspections accomplished 118,136 inspections of the 91,873 licensed food service and lodging establishments in Florida to ensure the health and safety of our residents and visitors. The bureau has seven district offices that are located in Miami, Margate, Fort Myers, Orlando, Tampa, Jacksonville and Panama City Beach. Each of the seven district offices is responsible for coordinating daily activities and scheduling inspections. Administrative enforcement cases are initiated by district offices to ensure compliance with the law. The division is authorized to assess fines up to \$1,000 per violation and to suspend or revoke an operator's license. In addition to routine safety and sanitation inspections, the bureau performs:

- Opening inspections for new establishments and changes of ownership;
- "Call-back" inspections on establishments cited for high priority violations within a specified time period to verify correction of deficiencies;
- Complaint investigations; and
- Foodborne illness investigations in coordination with the Florida Department of Health.

**Office of Program Quality (OPQ)** ensures that all inspectors are properly trained by our staff of qualified trainers. This office conducts new employee orientation programs that provide step-by-step levels of instruction and participation geared toward producing well-rounded, consistent and knowledgeable inspectors.

OPQ coordinates and provides technical training for division inspection staff as required by Section 509.036, Florida Statutes. This includes ensuring all new inspectors are field tested by US Food and Drug Administration (FDA)-certified inspection/training officers on risk-based and Hazard Analysis and Critical Control Point inspections. Each inspector receives a minimum of 20 continuing education hours per year in food safety and sanitation. In Fiscal Year 2015-16, OPQ facilitated 6,619 continuing education hours statewide.

OPQ staff is responsible for monitoring federal and state food code changes that affect the division and for making recommendations to management regarding rules and policies influenced by those changes. The technical coordinators also assist in the application of laws and rules, help resolve implementation issues for field staff and industry, and provide leadership in public workshops or hearings to resolve outstanding sanitation and safety issues. The coordinators address technical questions from the public regarding laws, rules and procedures, and field complaints prior to investigation by the district offices.

**Office of Plan Review (OPR)** oversees plan review for new or altered food service establishments, acting on variance requests and ensuring statewide consistency. The centralized OPR completes all reviews in Tallahassee Headquarters. OPR reviewed 6297 plans for a total of \$944,550 collected in revenue. OPR has implemented various process improvements, cost reduction and avoidance strategies, including electronic plan review submission, thereby reducing postage and printing costs. Centralization also resolved numerous workload inequities and substantially improved customer service. Eligible restaurant license applicants are able to electronically submit their plans for immediate feedback and approval. Plan review centralization has resulted in a more efficient use of resources, greater consistency and responsiveness, and a time cost savings to applicants.

## **BUREAU OF FIELD SERVICES**

**Christopher Carson, Bureau Chief**

The Bureau of Field Services provides support for the rest of the division in order to ensure achievement of the core mission. The division's Licensure and Compliance sections fall under the bureau. Field Services is responsible for analyzing business processes and recommending improvement initiatives. Also the bureau creates and maintains most of the division's customized forms and other publications, including brochures, newsletters, statutes, rules and codes for use by the division's staff, licensees and the public. Additionally, bureau staff develops the division's web content and serve as technical coordinators which include support for the division's mobile inspection program.

### **Licensure Section**

The Licensure Section processes licenses for public lodging, food service establishments, and elevators. Staff enters new licenses and changes of ownership, reconciles license fees, resolves licensing problems and provides license information to the public and the division's field staff. They also coordinate the division's annual license renewals for 91,873 public food and lodging establishments and 51,898 active elevators, escalators and other vertical conveyances.

### **Compliance Section**

The Compliance Section manages the administrative enforcement activity of the division. This office also coordinates indexing of enforcement cases and works with department legal staff to process emergency orders and formal hearings with the Division of Administrative Hearings within the Department of Management Services. The office has continued to emphasize compliance in keeping with the division's mission. This includes an informal, less adversarial, settlement process that concludes cases in a shorter time and reduces the need for litigation.

## **BUREAU OF ELEVATOR SAFETY**

**Michelle Comingore, Bureau Chief**

The Bureau of Elevator Safety enforces Florida's elevator laws to ensure the safety of persons using vertical transportation (elevators, escalators, dumbwaiters, moving walks, inclined stairway chair lifts and inclined or vertical wheelchair lifts). The program enforces the national standards of the American Society of Mechanical Engineers' (ASME) Safety Code for Elevators and Escalators (A17.1, A17.3 and A18.1), the state standard Florida Elevator Safety Code, Chapter 399, Florida Statutes, and Chapter 30, Florida Building Code-Buildings. Other accompanying standards include the National Electrical Code, State Fire Marshal's Uniform Fire Safety Standards, NFPA Life Safety Code, Americans with Disability Act and Florida Accessibility Code, and Chapter 61C-5, Florida Administrative Code.

The bureau issues Certificates of Operation for elevators and other vertical conveyances; issues construction and alteration permits; verifies service maintenance contract agreements; licenses registered elevator companies; and issues professional credentials for Certified Elevator Technicians, Certified Elevator Inspectors, and Certificates of Competency. It also registers providers to deliver approved continuing education course content. The bureau is responsible for recording annual safety inspections of elevators, and coordinates annual renewals of Certificates of Operation and licensed credentials for professions with the division's Licensure Section. The bureau also manages local program contracts, authorized by statute, with the cities of Miami and Miami Beach, Miami-Dade County, Broward County and Reedy Creek Improvement District to ensure that the programs adhere to state standards.

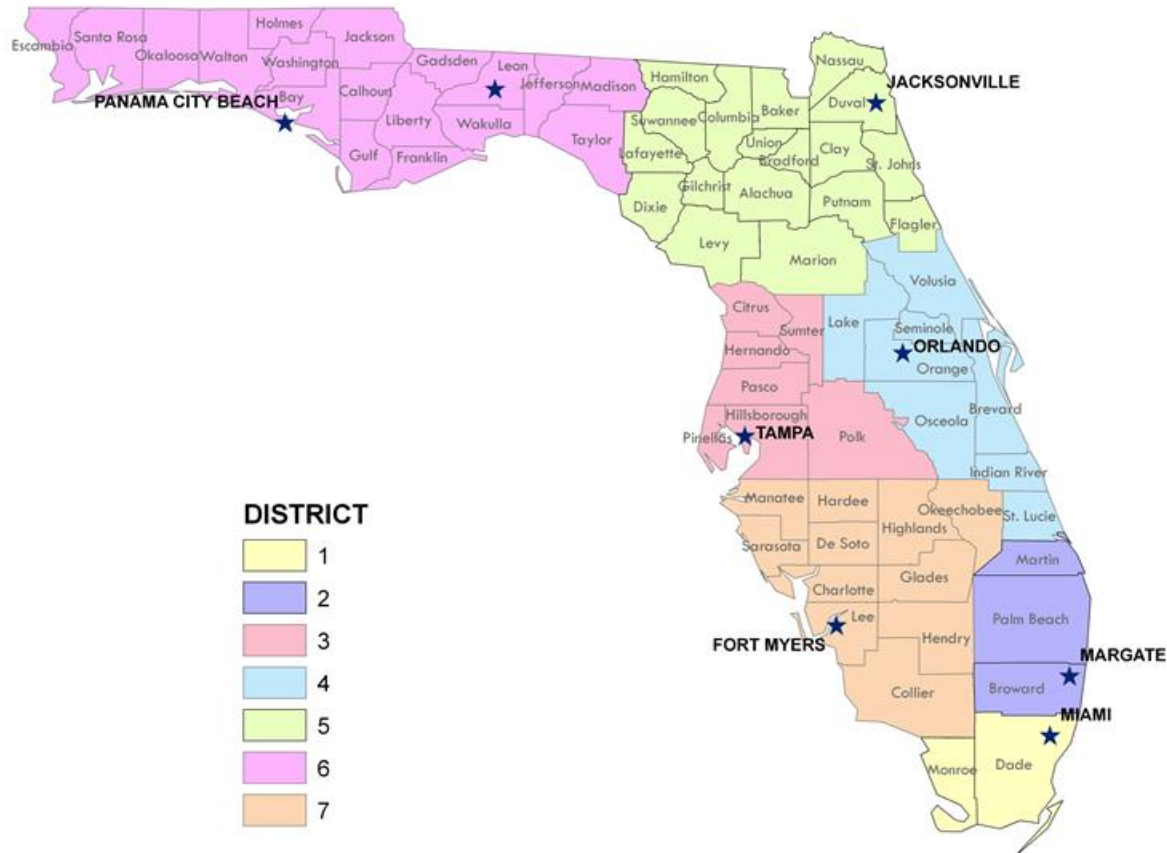
To assure rider safety, bureau inspectors monitor the quality of private elevator inspections and local contracted programs. In addition to performing inspections, the bureau's ten certified elevator inspectors respond to complaints, educate owners about their responsibility to have annual safety inspections and work to eliminate code violations in their respective regions. During Fiscal Year 2015-16, these inspectors conducted 2,114 monitoring inspections.

Florida's elevator safety program achieved 98.49 percent compliance for Certificate of Operation licenses. This high level of compliance was achieved through the efforts of field and office staff by a combination of site visits, written notices and, in rare instances, administrative fines. Securing compliance of over 98 percent of all vertical and horizontal transportation devices in Florida benefits and positively impacts not only citizens but also visitors of Florida. The use of unsafe and defective lifting devices imposes a

substantial probability of serious injury and exposes elevator personnel as well as the public to unsafe and hazardous conditions. Ensuring the safety of life and limb, and protecting the health and welfare of the riding public and elevator personnel is the core mission of the Bureau of Elevator Safety.

The bureau's oversight role for over 52,000 conveyances and five contracted jurisdictions continues to increase due to ongoing growth in new elevator construction and registration of new elevator workers and companies within the state.

## REGULATORY DISTRICTS AND OFFICES



# Licensing

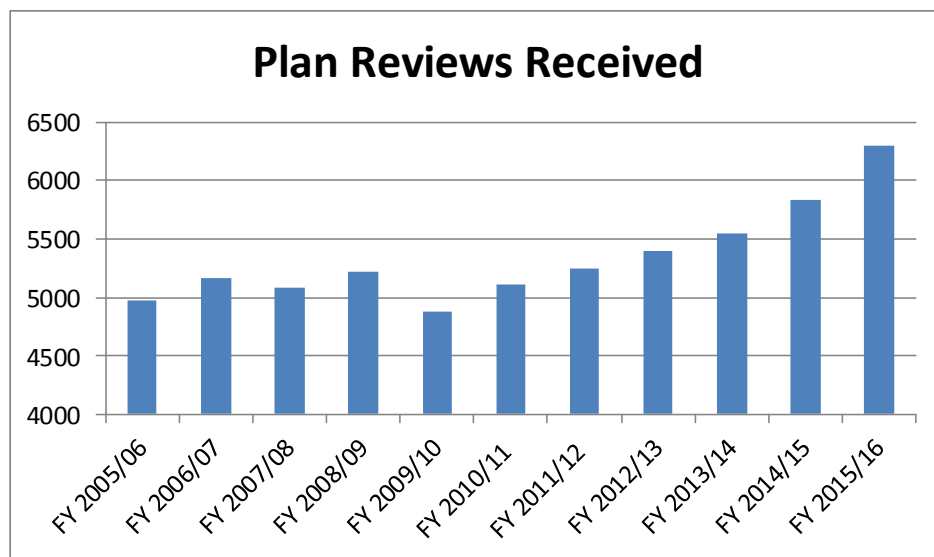
**Table 1: Number of Plan Reviews by Type and Fees Processed—FY 2015-16**

District	New	Change Owner	Remodel	Total	Fees
1	807	84	125	1016	\$152,400.00
2	665	100	150	915	\$137,250.00
3	805	105	274	1184	\$177,600.00
4	926	154	226	1306	\$195,900.00
5	563	97	107	767	\$115,050.00
6	328	65	81	474	\$71,100.00
7	439	59	137	635	\$95,250.00
<b>Total</b>	4533	664	1100	6297	\$944,550.00

SOURCE: Plan Review Database 2016

**Table 2: Number of Variances Processed—FY 2015-16**

No. of Variances			
DISTRICT	Routine	Emergency	Total
1	14	19	33
2	4	11	15
3	7	10	17
4	16	16	32
5	3	2	5
6	3	0	3
7	1	2	3
<b>Total</b>	48	60	108

**Figure 1: Historical Comparison of Plan Reviews Received**




# Licensing

Table 3: Public Lodging and Food Service Establishment License Accounts—End of FY 2015-16

Establishment Type	DISTRICT							TOTAL
	1	2	3	4	5	6	7	
PUBLIC LODGING ESTABLISHMENTS								
Hotels	430	261	248	380	205	143	167	1,834
Motels	264	336	484	583	342	319	326	2,609
Nontransient Apartments	5,390	3,860	2,802	2,277	1,495	1,082	866	17,772
Transient Apartments	216	235	172	89	36	20	144	912
Bed and Breakfasts	57	24	31	42	63	26	13	256
Vacation Rentals - Condos								
Single	508	78	246	1,154	145	288	132	2,551
Group	91	73	80	242	42	168	201	897
Collective	99	22	98	135	67	354	179	954
Vacation Rentals - Dwellings								
Single	580	310	3,155	5,834	123	513	496	11,011
Group	23	14	22	39	8	18	21	145
Collective	126	106	203	330	71	274	273	1,383
Vacation Rentals – Timeshare Projects								
Single	0	0	1	1	0	0	0	2
Group	1	0	0	10	0	1	0	12
Collective	0	0	0	0	3	0	0	3
SUBTOTAL	7,785	5,319	7,542	11,071	2,600	3,206	2,818	40,341
PUBLIC FOOD SERVICE ESTABLISHMENTS								
Seating	5,777	6,889	6,789	8,176	4,645	3,272	4,776	40,324
Permanent Nonseating	999	1,189	902	1,189	581	303	525	5,467
Theme Park Food Carts	0	1	5	19	6	0	0	31
Catering	186	208	146	232	103	57	82	1,014
Hot Dog Carts	125	79	91	141	71	40	40	587
Mobile Food Dispensing Vehicles	571	360	637	714	366	311	290	3,249
Vending Machines	10	56	198	349	170	7	70	860
SUBTOTAL	7,668	8,561	8,768	10,820	5,942	3,990	5,783	51,532
GRAND TOTAL	15,453	13,880	16,310	21,891	8,542	7,196	8,601	91,873

SOURCE: DBPR Versa: Regulation Single Licensing System 07.01.2016

Table 4: Temporary Food Service Event Licenses Issued — FY 2015-2016

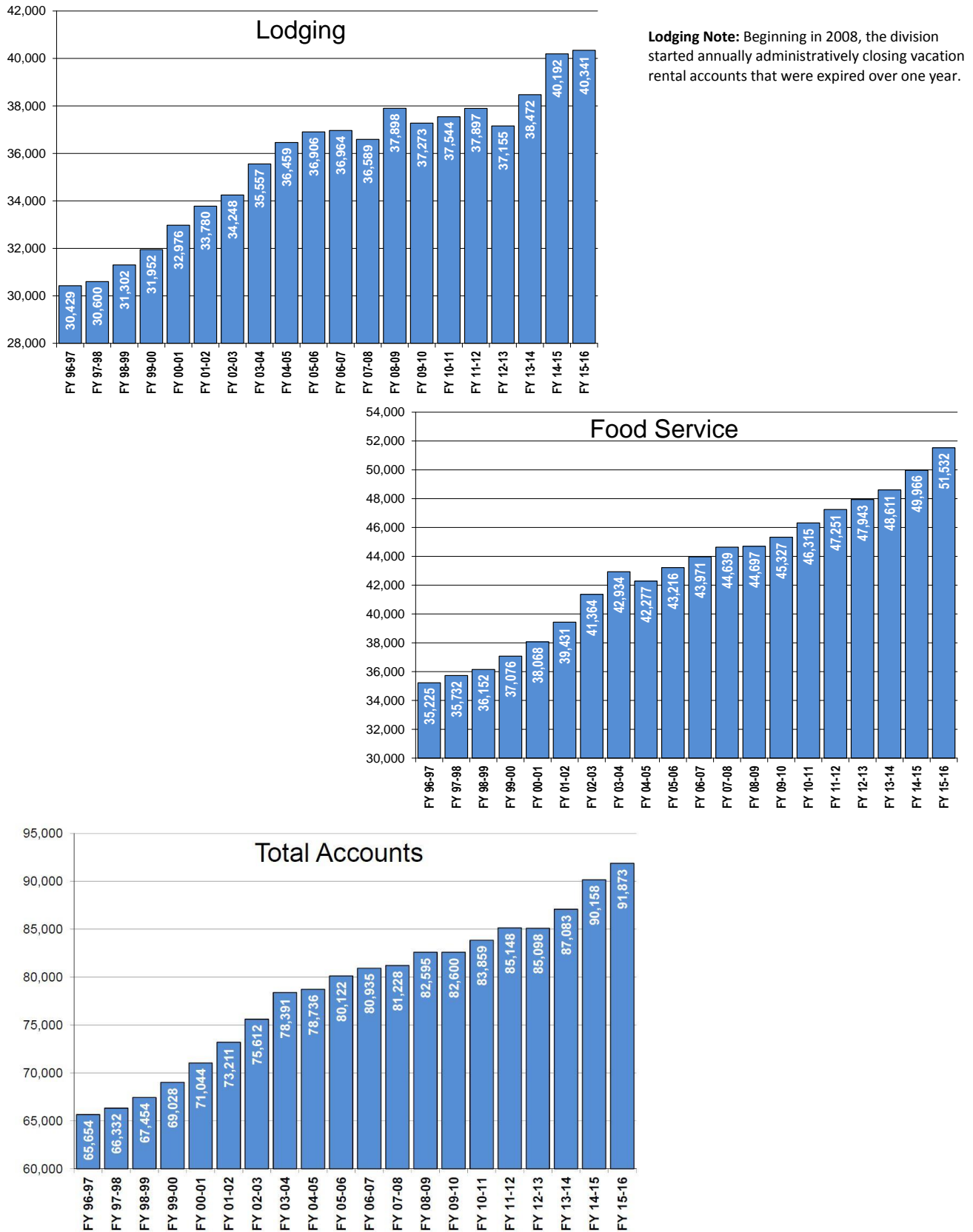
License Type	DISTRICT							TOTAL
	1	2	3	4	5	6	7	
1-3 day license	469	297	183	499	237	211	64	1,960
4-30 day license	415	273	509	423	304	161	287	2,372
Annual license	74	78	55	96	23	31	32	389
Already Licensed – Annual	146	230	172	145	137	125	59	1,014
Already Licensed – Permanent	227	413	205	135	305	260	78	1,623
Already Licensed - DACS	86	21	37	16	32	55	26	273
<b>Total</b>	<b>1,417</b>	<b>1,312</b>	<b>1,161</b>	<b>1,314</b>	<b>1,038</b>	<b>843</b>	<b>546</b>	<b>7,631</b>

SOURCE: DBPR Versa: Regulation Single Licensing System 07.05.2016

NOTE: Vendors with a DBPR or Department of Agriculture and Consumer Services (DACs) food service license may operate under their existing license when they have a satisfactory on-site inspection.

# Licensing

**Figure 2: Historical Comparison of Total Number of Public Lodging and Food Service Accounts**



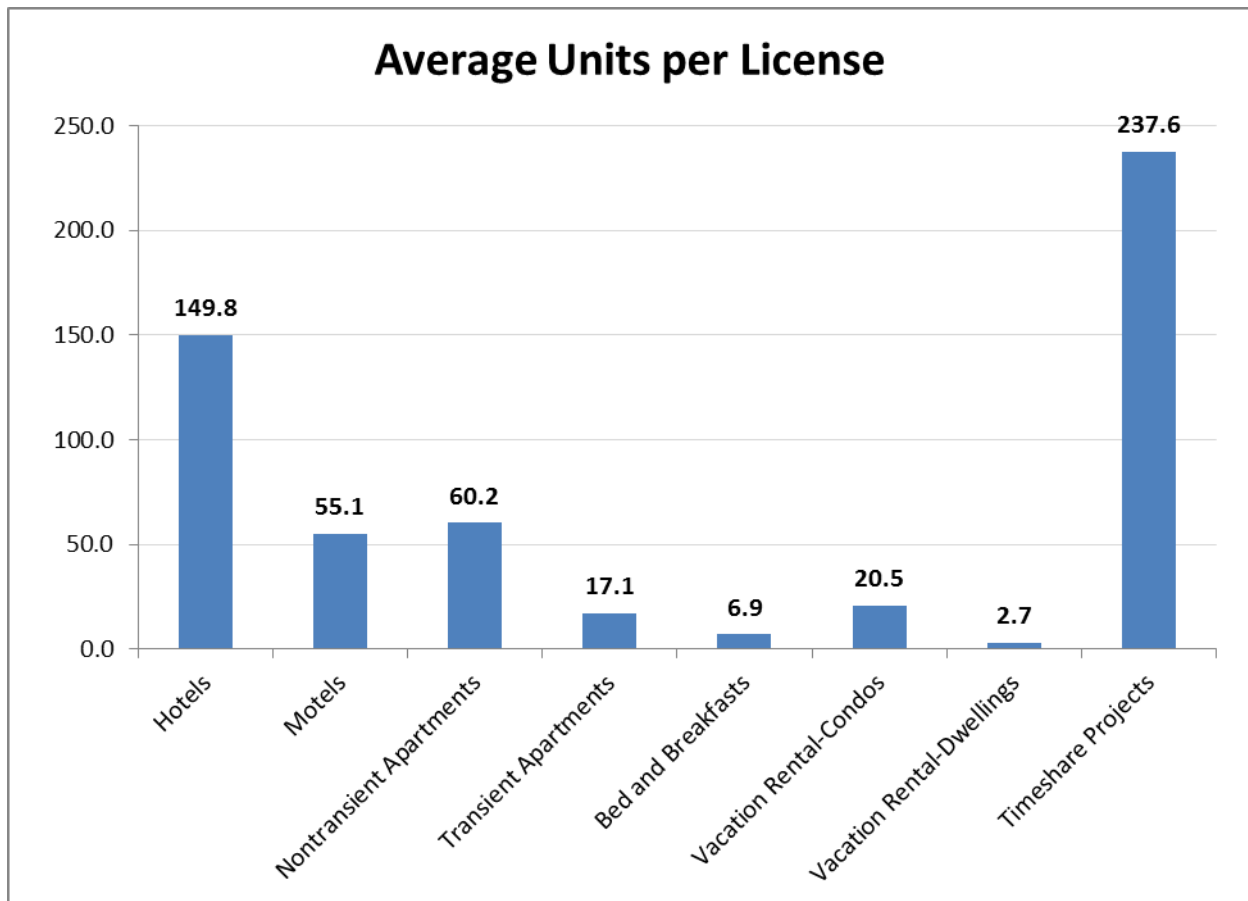
# Licensing

**Table 5: Public Lodging Units by Type of Establishment and by District—End of FY 2015-16**

ESTABLISHMENT TYPE	DISTRICT							Total
	1	2	3	4	5	6	7	
Hotels	51,189	39,081	31,140	96,409	23,469	14,179	19,208	274,675
Motels	12,406	11,593	22,750	50,457	16,535	17,759	12,129	143,629
<b>Nontransient Apartments</b>	<b>157,542</b>	<b>180,136</b>	<b>218,072</b>	<b>241,890</b>	<b>137,362</b>	<b>68,184</b>	<b>66,393</b>	<b>1,069,579</b>
Transient Apartments	3,352	3,934	2,714	2,190	668	1,285	1,513	15,629
Bed and Breakfasts	528	154	151	227	468	163	79	1,770
Vacation Rental-Condos	6,879	5,762	6,027	36,645	3,614	19,548	11,944	90,419
Vacation Rental-Dwellings	2,663	830	6,891	11,565	1,481	5,735	5,274	34,439
Timeshare Projects	30	0	22	3,840	53	95	0	4,040
<b>TOTAL</b>	<b>234,589</b>	<b>241,490</b>	<b>287,767</b>	<b>443,223</b>	<b>183,650</b>	<b>126,921</b>	<b>116,540</b>	<b>1,634,180</b>

SOURCE: DBPR Versa: Regulation Single Licensing System 07.01.2016

**Figure 3: Average Number of Public Lodging Units per Account—End of FY 2015-16**



# Inspections

Table 6: Public Lodging and Food Service Establishment Initial Inspections Performed—FY 2015-16

PUBLIC FOOD SERVICE INSPECTIONS						
DISTRICT	TYPE OF INSPECTION					TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	OTHER <sup>1</sup>	
1	1,177	11,277	699	0	0	13,153
2	1,204	12,566	1,401	7	0	15,178
3	1,308	13,160	1,415	2	0	15,885
4	1,457	16,526	1,457	36	1	19,517
5	884	7,704	1,089	3	0	9,680
6	550	5,480	673	10	0	6,713
7	730	9,452	901	0	0	11,083
<b>TOTAL</b>	<b>7,350</b>	<b>76,165</b>	<b>7,635</b>	<b>58</b>	<b>1</b>	<b>91,209</b>

PUBLIC LODGING INSPECTIONS						
DISTRICT	TYPE OF INSPECTION					TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	OTHER <sup>1</sup>	
1	447	5,688	210	0	0	6,345
2	379	4,411	195	0	0	4,986
3	322	4,034	406	0	0	4,762
4	286	3,612	556	1	0	4,455
5	155	1,957	283	0	0	2,395
6	76	1,410	293	0	0	1,779
7	103	1,973	129	0	0	2,205
<b>TOTAL</b>	<b>1,768</b>	<b>23,085</b>	<b>2,072</b>	<b>2</b>	<b>0</b>	<b>26,927</b>

TOTAL INSPECTIONS						
DISTRICT	TYPE OF INSPECTION					TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	OTHER <sup>1</sup>	
1	1,624	16,965	909	0	0	19,498
2	1,583	16,977	1,596	8	0	20,164
3	1,630	17,194	1,821	2	0	20,718
4	1,783	20,138	1,971	37	1	27,571
5	1,039	9,661	1,372	3	0	13,443
6	626	6,890	966	10	0	9,937
7	833	11,425	1,030	0	0	14,388
<b>TOTAL</b>	<b>9,118</b>	<b>99,250</b>	<b>9,707</b>	<b>60</b>	<b>1</b>	<b>118,136</b>

SOURCE: DBPR Versa:Regulation Single Licensing System 07.05.2016

NOTE: Licensing, routine and complaint-full inspections are counted toward statutory requirement. Epidemiological inspections are usually recorded as routine inspections. "Other" inspections include discontinued categories, information calls, training and quality assurance inspections. For an accounting of temporary events, see Table 4.



# Inspections

Table 7: Food and Lodging Callback Inspections Performed—FY 2015-16

PUBLIC FOOD SERVICE INSPECTIONS						
DISTRICT	TYPE OF INSPECTION					TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	OTHER*	
1	105	4720	418	0	0	5,243
2	214	5475	770	0	0	6,463
3	204	5642	803	0	0	5,642
4	47	6681	933	27	2	7,690
5	165	3506	821	3	0	4,495
6	52	2827	470	5	0	3,354
7	48	3334	474	0	0	3,856
<b>TOTAL</b>	<b>835</b>	<b>32,185</b>	<b>4,689</b>	<b>39</b>	<b>2</b>	<b>37,750</b>

PUBLIC LODGING INSPECTIONS						
DISTRICT	TYPE OF INSPECTION					TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL*	OTHER*	
1	13	614	63	0	0	690
2	22	437	93	0	0	552
3	26	311	173	0	0	510
4	4	427	318	0	0	749
5	24	278	165	0	0	467
6	8	232	241	0	0	481
7	5	176	64	0	0	245
<b>TOTAL</b>	<b>102</b>	<b>2,475</b>	<b>1,117</b>	<b>0</b>	<b>0</b>	<b>3,694</b>

TOTAL INSPECTIONS						
DISTRICT	TYPE OF INSPECTION					TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL*	OTHER*	
1	118	5334	481	0	0	5,933
2	236	5912	863	4	0	7,015
3	230	5953	976	0	0	7,159
4	51	7108	1251	27	2	8,439
5	189	3784	986	3	0	4,962
6	60	3059	711	5	0	3,835
7	53	3510	538	0	0	4,101
<b>TOTAL</b>	<b>937</b>	<b>34,660</b>	<b>5,806</b>	<b>39</b>	<b>2</b>	<b>41,442</b>

SOURCE: DBPR Versa:Regulation Single Licensing System 07.01.2016

NOTE: Licensing, routine and complaint-full inspections are counted toward statutory requirement. Epidemiological inspections are usually recorded as routine inspections. "Other" inspections include discontinued categories, information calls, training and quality assurance inspections. The DBPR Bureau of Central Intake and Licensure assumed recording of temporary events in November 2004. For a complete accounting of temporary events, see Table 4.

# Inspections

**Table 8: Food and Lodging Inspection Frequency and Performance—FY 2015-16**

Measure	Food Service	Lodging*	Apartments	Total
Active Licenses Requiring Inspection	51,524	4,699	18,684	74,907
Percent Change Since Last Fiscal Year	3.07%	.3%	.76%	2.31%
Annual Food Service inspections Required per License	See Table 8A			
Annual Lodging Inspections Required per License		2	1	
Estimated Number of Annual Inspections Required	87,214	9,398	18,684	115,296
Number Active Licenses Inspected Once	16,921	564	15374	32,859
Number Active Licenses Inspected Twice	30,214	3,504	689	34,407
Number Active Licenses Inspected 3 Times	3,370	456	64	3,890
Number Active Licenses Inspected 4 or More Times	486	151	8	645
Number Active Licenses Not Inspected This Period	1,027	24	2,549	3,600
Percent Active Licenses Inspected Once	32.84%	12.00%	82.28%	43.87%
Percent Active Licenses Inspected Twice	58.64%	74.57%	3.69%	45.93%
Percent Active Licenses Inspected 3 Times	6.54%	9.70%	0.34%	5.19%
Percent Active Licenses Inspected 4 or More Times	0.94%	3.21%	0.04%	0.86%
Percent Active Licenses Not Inspected This Period	1.99%	0.51%	13.64%	4.81%
Number Active Licenses that Met or Exceeded Annual Requirement	48,818	4,200	16,135	69,153
Percent Active Licenses that Met or Exceeded Annual Requirement	94.75%	89.38%	86.36%	92.32%

SOURCE: DBPR Versa: Regulation Single Licensing System 07.01.2016

Note:\*Other than apartments and vacation rentals. For purpose of this table, the term “lodging” includes hotels, motels and bed & breakfast inns. Vacation rentals are inspected in response to complaints and are not included above. The number of active licenses is slightly different from Table 3 because of license processing accomplished since compiling the data for that table.

**Table 8A: Public Food Service Risk Level Inspection Requirements**

Risk-Based Category	Description	Inspections Required	License Count
Level 1	Temporary public food service establishments, Vending machines, Public food service establishments that: <ul style="list-style-type: none"> <li>Do not cook raw animal food; or</li> <li>Cook raw animal food, but do not cool any cooked/heated foods</li> </ul>	1	16,112
Level 2	Public food service establishments that: <ul style="list-style-type: none"> <li>Cook raw animal food and cool any cooked/heated food; or</li> <li>Conduct a special process as defined in 3-502.11 or 3-502.12, 2009 FDA Food Code; or</li> <li>Serve a raw or undercooked animal food that requires a consumer advisory</li> </ul>	2	35,229
Level 3	Public food service establishments that: <ul style="list-style-type: none"> <li>Have a history of non-compliance (the division has taken three or more disciplinary actions over a two-year period) or</li> <li>Serve a highly susceptible population (HSP)</li> </ul>	3	183
Level 4	Public food service establishments that have been identified by the Florida Department of Health in a confirmed foodborne illness	4	28

Note: A public food service establishment’s inspection requirement is determined by its Risk Level.

# Violations

Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2015-16

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
<b>1. FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS</b>							
01A Food obtained from approved source	134	0	0	0	134	0.02%	0.002
01B Food safe and unadulterated; sound condition	9,603	126	14	0	9,743	1.33%	0.110
01C Shellstock tags; commingling	0	2,665	70	0	2,735	0.37%	0.031
01D Parasite destruction for raw/undercooked fish	1,420	51	0	0	1,471	0.20%	0.017
02A Consumer advisory on raw/undercooked oysters	0	384	0	0	384	0.05%	0.004
02B Consumer advisory on raw/undercooked animal foods	13	2,766	0	0	2,779	0.38%	0.031
02C Date marking ready-to-eat (RTE) potentially hazardous/time/temperature control for safety foods	1,243	16,322	0	0	17,565	2.40%	0.198
03A Receiving and holding PH/TCS foods cold	24,082	1	66	0	24,149	3.30%	0.272
03B Receiving and holding PH/TCS foods hot	6,101	0	0	0	6,101	0.83%	0.069
03C Cooking raw animal foods and plant foods; noncontinuous cooking of raw animal foods	231	181	3	0	415	0.06%	0.005
03D Cooling PH/TCS foods; proper cooling methods	2,933	4,839	0	0	7,772	1.06%	0.087
03E Reheating PH/TCS foods for hot holding	568	0	1	0	569	0.08%	0.006
03F Time as a Public Health Control	2,993	1,698	0	0	4,691	0.64%	0.053
03G Reduced oxygen packaging (ROP) and other Special Processes	275	47	0	0	322	0.04%	0.004
07 Unwrapped or PH/TCS food not re-served	124	0	0	0	124	0.02%	0.001
08A Separating raw animal foods from: each other, RTE foods and unwashed produce	19,755	4	811	0	20,570	2.81%	0.231
08B Food protection during preparation, storage and display	1,937	560	29,165	0	31,662	4.32%	0.356
09 Bare hand contact with RTE food; Alternative Operating Procedure (AOP)	2,539	49	317	0	2,905	0.40%	0.033
11 Employee health knowledge; ill/symptomatic employee present	45	3,097	25	0	3,167	0.43%	0.036
12A Hands clean and washed properly; use of hand antiseptic if use of AOP	16,404	1,424	0	0	17,828	2.43%	0.201
12B Employee eating, drinking, tasting food, smoking	0	3	14,566	0	14,569	1.99%	0.164

Continued on next page

# Violations

**Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2015-16**  
(continued)

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
<b>1. FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS</b>							
22 Food-contact surfaces clean and sanitized	7,206	48,773	9,156	0	65,135	8.89%	0.733
31A Handwash sink(s) installed, accessible, not used for other purposes	0	22,355	0	0	22,355	3.05%	0.251
31B Handwashing supplies and handwash sign provided	0	19,805	9,263	0	29,068	3.97%	0.327
32 Bathrooms	0	162	6,444	0	6,606	0.90%	0.074
41 Chemicals/toxic substances	11,096	6,392	825	0	18,313	2.50%	0.206
53 Food management certification valid/Employee Training (manually entered/scanned)							
53A Food manager certification; knowledge/active managerial control (except employee health)	0	8,869	0	0	8,869	1.21%	0.100
53B State approved food handler training; employee duty specific training/knowledge	0	14,435	0	0	14,435	1.97%	0.162
<b>Subtotal: 1. FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS</b>	<b>108,702</b>	<b>155,008</b>	<b>70,726</b>	<b>0</b>	<b>334,436</b>	<b>45.67%</b>	<b>3.761</b>
<b>2. GOOD RETAIL PRACTICES</b>							
02D Food items properly labeled; original container	0	499	9,592	0	10,091	1.38%	0.113
04 Facilities to maintain PH/TCS foods at the proper temperature	0	72	0	0	72	0.01%	0.001
05 Food and food equipment thermometers provided and accurate	20	5,585	7,702	0	13,307	1.82%	0.150
06 PH/TCS foods properly thawed	0	0	4,423	0	4,423	0.60%	0.050
08 Food protection/cross-contamination (manually entered/scanned)							
10 In use food dispensing utensils properly stored	348	0	20,495	0	20,843	2.85%	0.234
13 Clean clothes; hair restraints; jewelry; painted/artificial fingernails	0	252	10,745	0	10,997	1.50%	0.124
14 Food-contact and nonfood contact surfaces designed, constructed, maintained, installed, located	1,590	6,793	54,458	0	62,841	8.58%	0.707
16 Dishwashing facilities; chemical test kit(s); gauges	47	9,216	11,380	0	20,643	2.82%	0.232
21 Wiping cloths; clean and soiled linens; laundry facilities	0	0	23,429	0	23,429	3.20%	0.263
23 Non-food contact surfaces clean	5	0	46,504	0	46,509	6.35%	0.523



# Violations

**Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2015-2016**  
(continued)

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
<b>2. GOOD RETAIL PRACTICES</b>							
24 Storage/handling of clean equipment, utensils; air drying	0	0	14,544	0	14,544	1.99%	0.164
25 Single-service and single-use items	31	16	14,256	0	14,303	1.95%	0.161
27 Water source safe, hot (100F) and cold under pressure	95	7,186	599	0	7,880	1.08%	0.089
28 Sewage and waste water disposed properly	660	47	391	0	1,098	0.15%	0.012
29 Plumbing installed and maintained; mop sink; water filters; backflow prevention	7,304	788	11,828	0	19,920	2.72%	0.224
31 Toilet and handwashing facilities, number, convenient, designed, installed							
33 Garbage and refuse; premises maintained	0	0	10,399	0	10,399	1.42%	0.117
35A No presence or breeding of insects/rodents/pests; no live animals	8,631	160	3,029	0	11,820	1.61%	0.133
35B Outer openings protected from insects/pests, rodent proof	0	0	6,317	0	6,317	0.86%	0.071
36 Floors, walls, ceilings and attached equipment properly constructed and clean; rooms and equipment properly vented	0	0	62,511	0	62,511	8.54%	0.703
38 Lighting provided as required; fixtures shielded or bulbs protected	0	0	7,855	0	7,855	1.07%	0.088
39 Rooms and equipment - vented as required							
40 Employee personal belongings	0	0	6,556	0	6,556	0.90%	0.074
42 Cleaning and maintenance equipment	0	0	7,187	0	7,187	0.98%	0.081
43 Complete separation from living/sleeping area/private premise; kitchen restricted - no unauthorized personnel	2	96	32	0	130	0.02%	0.001
50 Current license, properly displayed	673	0	2,673	0	3,346	0.46%	0.038
51 Other conditions sanitary and safe operation	0	1,046	9,274	57	10,320	1.41%	0.117
52 Misrepresentation; misbranding	0	266	39	0	305	0.04%	0.003
54 Florida Clean Indoor Air Act Compliance	0	0	34	0	34	0.00%	0.000
55 Automatic Gratuity Notice	0	0	5	0	5	0.00%	0.000
<b>Subtotal: 2. GOOD RETAIL PRACTICES</b>	<b>19,406</b>	<b>32,023</b>	<b>146,257</b>	<b>57</b>	<b>197,685</b>	<b>54.31%</b>	<b>4.473</b>
<b>3. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY</b>							
35B-02 Doors required to swing in the direction of egress travel	0	0	179	0	179	0.02%	0.002

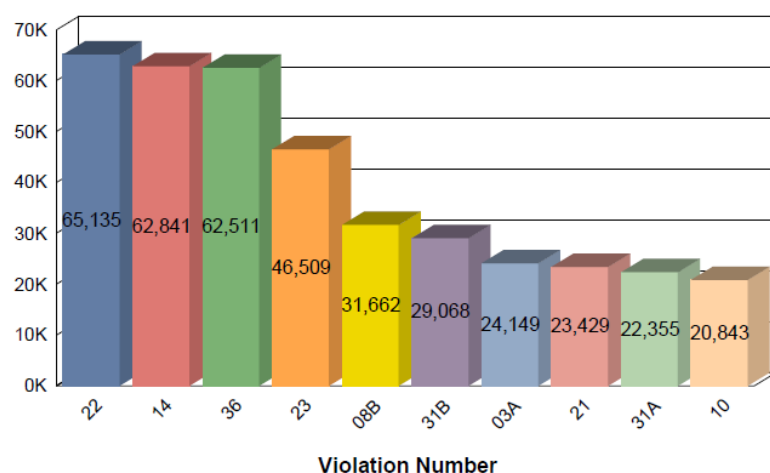
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# Violations

**Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2015-2016**  
(continued)

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
<b>3. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY</b>							
45 Fire extinguishing equipment	0	0	0	1,093	0	0.00%	0.012
46 Exits not blocked or locked	0	0	0	663	0	0.00%	0.007
47 Electrical wiring/outlets in good repair	0	0	0	183	0	0.00%	0.002
48 Gas appliances; boiler certificate current/posted	0	0	0	607	0	0.00%	0.007
49 Flammable/combustible materials	0	0	0	123	0	0.00%	0.001
<b>Subtotal: 3. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY</b>	<b>0</b>	<b>0</b>	<b>179</b>	<b>2,669</b>	<b>179</b>	<b>0.02%</b>	<b>0.032</b>
<b>GRAND TOTAL</b>	<b>128,108</b>	<b>187,030</b>	<b>417,162</b>	<b>2,726</b>	<b>732,297</b>		<b>8.236</b>
<b>Average per Inspection:</b>	<b>1.441</b>	<b>2.103</b>	<b>4.692</b>	<b>0.031</b>	<b>8.236</b>		

## Top 10 Violations



## Top 10 Food Violations

- 22 Food-contact surfaces clean and sanitized
- 14 Food-contact and nonfood contact surfaces designed, constructed, maintained, installed, located
- 36 Floors, walls, ceilings and attached equipment properly constructed and clean; rooms and equipment properly vented
- 23 Non-food contact surfaces clean
- 08B Food protection during preparation, storage and display
- 31B Handwashing supplies and handwash sign provided
- 03A Receiving and holding PH/TCS foods cold
- 21 Wiping cloths; clean and soiled linens; laundry facilities
- 31A Handwash sink(s) installed, accessible, not used for other purposes
- 10 In use food dispensing utensils properly stored

# Violations

Table 10: Number and Type of Violations Found in Public Lodging Establishments—FY 2015-2016

1. LODGING VIOLATIONS							
02 Safety: Fire hazards	1,449	0	0	0	1,449	2.77%	0.055
05 Safety: Hearing impaired smoke detectors	798	0	0	0	798	1.53%	0.030
08 Safety: Boiler, boiler room	128	0	0	0	128	0.24%	0.005
09 Safety: Lighting: public, guest rooms	0	0	158	0	158	0.30%	0.006
10 Safety: Adequate heating	17	0	0	0	17	0.03%	0.001
11 Safety: Appliances properly installed; maintained	0	0	681	0	681	1.30%	0.026
12-04 Safety: Balcony: railing with greater than 4 inch opening	3,057	0	0	0	5	0.01%	0.116
13 Safety: Building repair	0	0	8,837	0	8,837	16.91%	0.335
14 Safety: Proper locking devices	173	0	0	0	173	0.33%	0.007
15 Sanitation: Bathrooms: public, guest, supplies	0	0	1,156	0	1,156	2.21%	0.044
16 Sanitation: Water source safe; hot/cold provided	123	0	0	0	123	0.24%	0.005
17 Sanitation: Bedding: bed linens, towels	0	0	1,510	0	1,510	2.89%	0.057
19 Sanitation: Plumbing	4,193	48	415	0	4,656	8.91%	0.177
20 Sanitation: Ventilation	0	0	409	0	409	0.78%	0.016
21 Sanitation: Toxics: storage, use	200	602	0	0	802	1.53%	0.030
22 Sanitation: Ice protection	1,134	0	0	0	1,134	2.17%	0.043
23 Sanitation: Glassware; tableware; utensils sanitized	434	23	227	0	684	1.31%	0.026
24 Sanitation: Vermin control	2,294	0	0	0	2,294	4.39%	0.087
25 Sanitation: Premises maintained	0	0	8,787	0	8,787	16.81%	0.333
26 Sanitation: Garbage and refuse disposal	0	0	10,673	0	10,673	20.42%	0.405
27 Sanitation: Sewage and waste water disposal	58	0	26	0	84	0.16%	0.003
29 Consumer Protection: Guest property: liability, notified	0	0	1	0	1	0.00%	0.000
32 Consumer Protection: Security deposit	0	0	2	0	2	0.00%	0.000
33 Consumer Protection: Unethical business practices; overbooking	1	0	0	0	1	0.00%	0.000
34 Consumer Protection: Licensee: criminal conduct	1	0	0	0	1	0.00%	0.000
35 Consumer Protection: Florida Clean Indoor Air Act	0	0	6	0	6	0.01%	0.000
36 Consumer Protection: Telephone surcharge posted	0	0	402	0	402	0.77%	0.015
37 Consumer Protection: Guest register	0	0	20	0	20	0.04%	0.001
38 General: Current license: displayed, available upon request	1,489	0	940	0	2,429	4.65%	0.092
39 General: Housekeeping	0	0	1,738	0	1,738	3.33%	0.066
40 General: Other conditions: safe, sanitary	30	0	21	2	51	0.10%	0.002
<b>Subtotal: 1. LODGING VIOLATIONS</b>	<b>15,579</b>	<b>673</b>	<b>36,009</b>	<b>2</b>	<b>52,261</b>	<b>100.01%</b>	<b>1.984</b>

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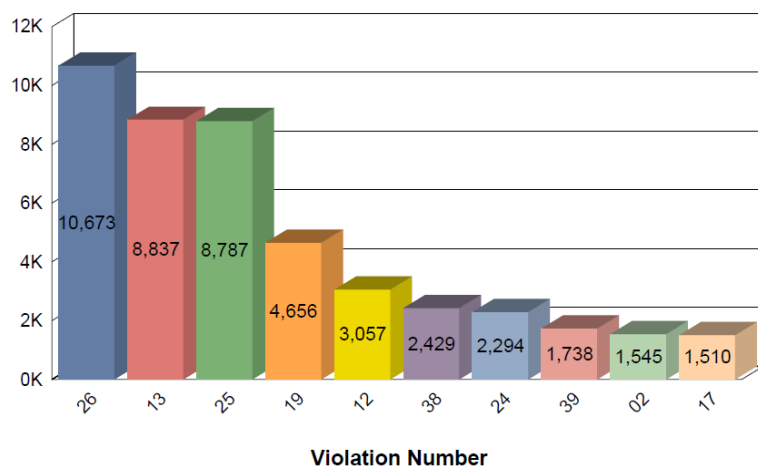
# Violations

Table 10: Number and Type of Violations Found in Public Lodging Establishments—FY 2015-2016

(Continued)

<b>2. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY</b>							
01 Safety: Fire extinguishers	0	0	0	1,174	0	0.00%	0.045
02 Safety: Fire hazards	0	0	0	96	0	0.00%	0.004
03 Safety: Fire Sprinkler system	0	0	0	12	0	0.00%	0.000
04 Safety: Smoke detectors; fire alarm systems	0	0	0	838	0	0.00%	0.032
05 Safety: Hearing impaired smoke detectors	0	0	0	57	0	0.00%	0.002
06 Safety: Exits obstructed	0	0	0	117	0	0.00%	0.004
07 Safety: Electrical wiring in good repair	0	0	0	81	0	0.00%	0.003
08-03 Safety: Boiler certificate	0	0	0	464	0	0.00%	0.018
11 Safety: Appliances properly installed; maintained	0	0	0	26	0	0.00%	0.001
<b>Subtotal: 2. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,865</b>	<b>0</b>	<b>0.00%</b>	<b>0.109</b>
<b>GRAND TOTAL</b>	<b>15,579</b>	<b>673</b>	<b>36,009</b>	<b>2,867</b>	<b>52,258</b>		<b>1.983</b>
<b>Average per Inspection:</b>	<b>0.591</b>	<b>0.026</b>	<b>1.367</b>	<b>0.109</b>	<b>1.983</b>		

## Top 10 Violations



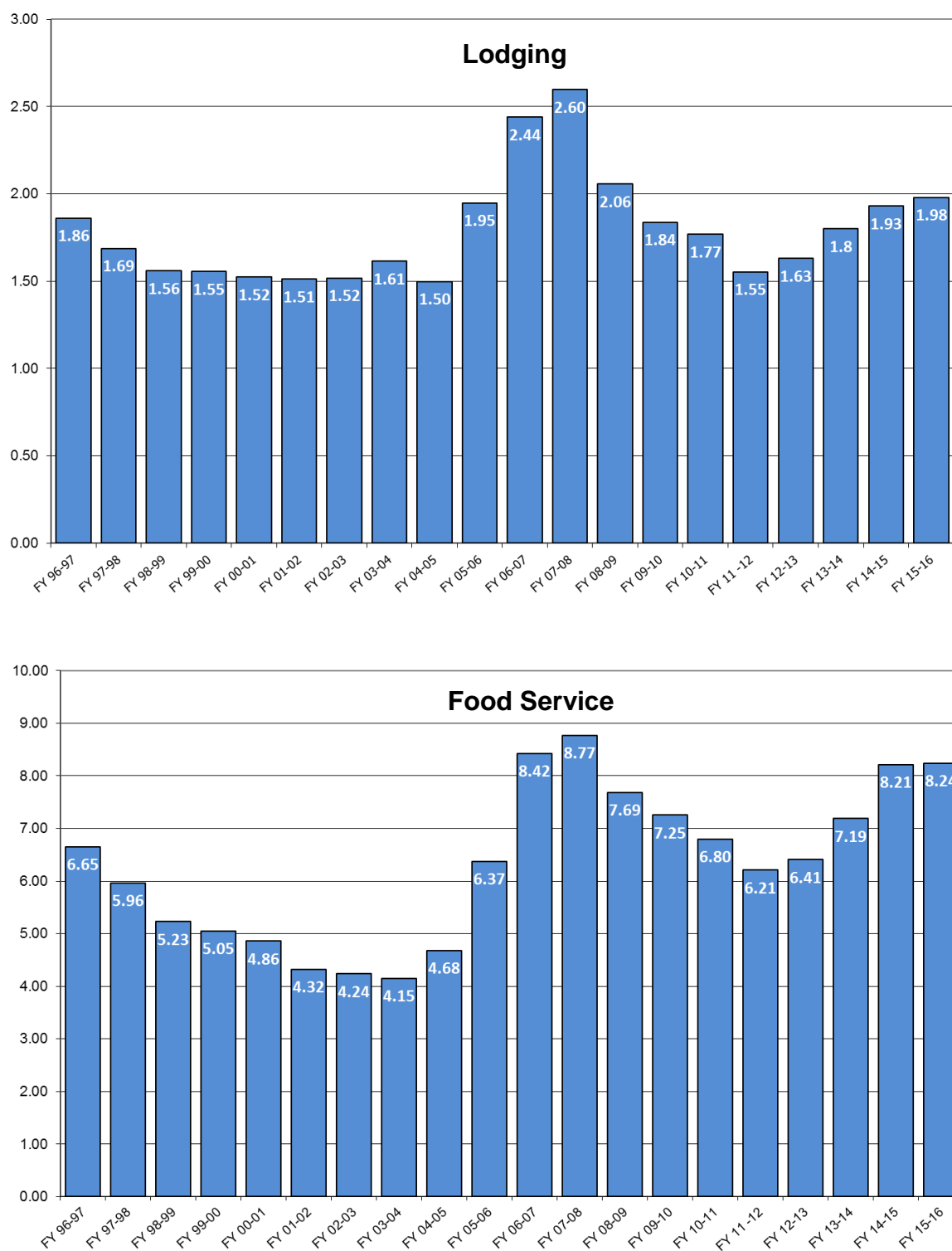
## Top 10 Lodging Violations

- 26 Garbage and Refuse Disposal
- 13 Building Repair
- 25 Premises Maintained
- 19 Plumbing
- 12 Balcony, Railing Safety
- 38 Current License Displayed
- 24 Vermin Control
- 39 Housekeeping
- 2 Fire Hazards
- 17 Sanitation: Bedding: Bed linens, towels



# Violations

Figure 4: Historical Comparison of Average Number of Violations per Inspection



Public Lodging and Food Service Establishment

# Consumer Complaints

**Table 11: Foodborne Illness Complaint Activity—FY 2015-2016**

DISPOSITION	DISTRICT								TOTAL
	Other	1	2	3	4	5	6	7	
Confirmed	0	28	25	36	8	13	10	8	128
Handled by Phone	0	0	1	0	1	5	0	0	7
Not Observed	0	116	274	201	324	204	123	176	1,418
Other	4	39	218	137	93	104	60	73	728
<b>Total</b>	<b>4</b>	<b>184</b>	<b>496</b>	<b>374</b>	<b>348</b>	<b>326</b>	<b>193</b>	<b>257</b>	<b>2,281</b>

SOURCE: DBPR Versa: Regulation Single Licensing System 8.05.2016

**Table 12: Consumer Complaint Activity—FY 2015-2016**

DISTRICT									
DISPOSITION	Other	1	2	3	4	5	6	7	TOTAL
Food Service									
Confirmed	11	80	252	294	94	252	158	94	1,235
Handled by Phone	4	4	15	2	28	29	14	0	96
Not Observed	19	229	595	561	743	541	376	370	3,434
Other	40	240	219	405	490	349	46	181	1970
Subtotal	74	553	1081	1262	1355	1171	594	645	6,735
Lodging- Apartments									
Confirmed	0	27	16	24	16	16	35	8	142
Handled by Phone	0	0	7	1	2	0	5	0	15
Not Observed	0	21	45	32	38	33	36	8	213
Other	0	28	23	31	47	12	3	12	156
Subtotal	0	76	91	88	103	61	79	28	526
Lodging- Hotels, Motels and Bed & Breakfasts									
Confirmed	0	12	30	102	51	94	86	8	383
Handled by Phone	0	1	2	0	9	5	3	0	20
Not Observed	0	65	80	183	271	130	111	58	898
Other	0	15	13	68	156	84	11	31	378
Subtotal	0	93	125	353	487	313	211	97	1,679
Lodging- Vacation Rentals									
Confirmed	0	2	0	0	4	0	5	2	13
Handled by Phone	0	0	0	0	1	0	2	0	3
Not Observed	0	1	2	10	34	2	15	3	67
Other	0	4	1	2	16	1	2	4	30
Subtotal	0	7	3	12	55	3	24	9	113
Grand Total	74	729	1,300	1,715	2,000	1,548	908	779	9,053

SOURCE: DBPR Versa: Regulation Single Licensing System 8.26.2016

NOTE: Confirmed and Not Observed denotes that the division followed up with an inspection. Disposition "Other" includes all other follow-ups other than phone calls, including letters, e-mails, referrals to other agencies, and—most commonly—not recorded, possibly due to an open investigation.

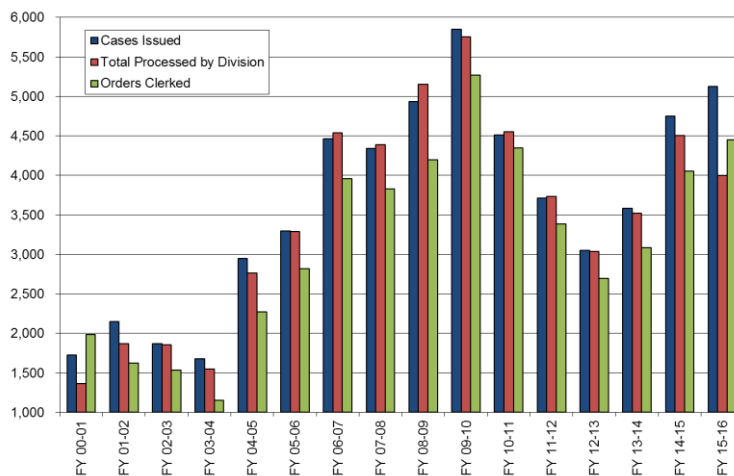
# Compliance

**Table 13: Public Food and Lodging Compliance Activity—FY 2015-16**

	Food Service	Lodging	Elevators	Total
Cases issued	3,318	351	1,457	5,126
1st offender	2,517	307	1,237	4,061
2nd offender	609	36	184	829
3rd offender	141	4	22	167
4th or higher offender	51	4	14	69
<b>Settlement Officers</b>				
Settled	2,408	150	231	2,789
Dismissed/Closed	317	153	0	470
Final Orders on Waiver	367	62	0	429
Sent to Office of General Counsel	288	20	2	310
Total processed by division	3,380	385	233	3,998
<b>Office of General Counsel</b>				
Informal Hearings	205	12	36	253
Formal Hearings	6	0	0	6
Dismissed/Closed	39	6	10	55
Stipulation & Consent Orders	1	0	0	1
<b>Agency Clerk</b>				
Orders Clerked	3,094	236	1,118	4,448
<b>Actions</b>				
Suspensions	63	0	0	51
Revocations	1	0	0	1
Fines assessed	\$1,402,630	\$82,275	\$308,500	\$1,793,405
Average fine assessed	\$386	\$364	\$276	\$412
Median fine assessed	\$320	\$200	\$250	\$300
Lowest fine assessed	\$100	\$100	\$250	\$100
Highest fine assessed	\$5,200	\$4,800	\$1,000	\$5,200
Most frequent fine assessed	\$400	\$200	\$250	\$400
Fines collected	\$1,288,068	\$72,902	\$226,600	\$1,587,820

SOURCE: DBPR Versa: Regulation Single Licensing System 07.05.2016

**Figure 5: Historical Comparison of Compliance Activity**



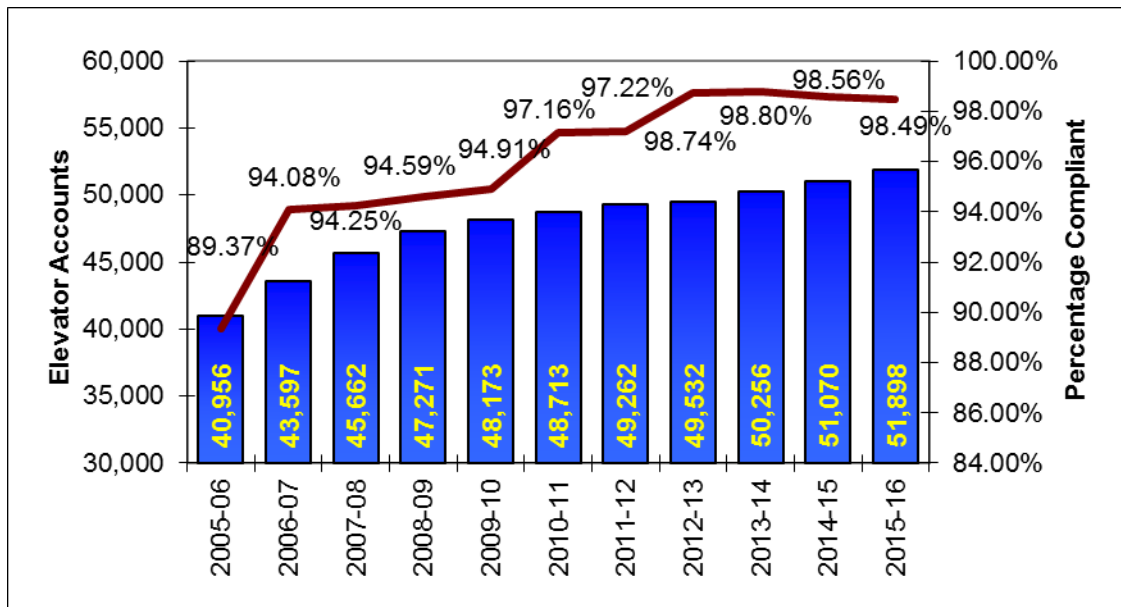
# Bureau of Elevator Safety

**Table 14: Elevator Accounts – as of August 1, 2016 Expiration**

ELEVATOR TYPE	Current	% Current	Delinquent	% Delinquent	Total	Permits	Sealed	Special Sealed	Total
Traction Passenger	11,192	98.82%	134	1.32%	11,326	477	130	79	12,012
Hydraulic Passenger	34,085	98.66%	462	1.34%	34,547	498	347	251	35,643
Traction Freight	342	95.26%	17	4.74%	359	3	43	46	451
Hydraulic Freight	615	98.24%	11	1.76%	626	5	27	30	688
Hand Power Passenger	1	100.00%	0	0.00%	1	0	0	2	3
Hand Power Freight	2	100.00%	0	0.00%	2	0	9	4	15
Moving Walk	40	100.00%	0	0.00%	40	8	0	0	48
Inclined Lift	22	95.65%	1	4.35%	23	1	0	0	24
Limited Use Limited Application	334	95.98%	14	3.86%	348	22	19	11	400
Dumbwaiter	371	98.15%	7	1.85%	378	8	254	44	684
Escalator	1,141	97.19%	33	2.81%	1,174	70	54	10	1,308
Sidewalk Elevator	1	100.00%	0	0.00%	1	0	4	0	5
Material Lift, Dumbwaiter, ATD	5	83.33%	1	16.67%	6	2	1	0	9
Special Purpose Personnel Elevator	91	97.85%	2	2.15%	93	1	9	2	105
Inclined Stairway Chair Lift	53	96.36%	2	3.64%	55	2	13	1	71
Inclined & Vertical Wheelchair Lift	2,818	96.54%	101	3.46%	2,919	89	207	76	3,291
<b>Total</b>	<b>51,113</b>	<b>98.49%</b>	<b>785</b>	<b>1.51%</b>	<b>51,898</b>	<b>1,186</b>	<b>1,117</b>	<b>556</b>	<b>54,757</b>

SOURCE: DBPR Versa: Regulation Single Licensing System 08.05.2016

**Figure 6: Historical Comparison of Total Active Elevator Accounts and Licensing Compliance**



**Table 15: Elevator Professional Credential Accounts**

LICENSE TYPE	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Registered Elevator Companies	216	252	286	268	300	288	286	275	302
Certified Elevator Inspectors	286	295	354	355	364	360	351	332	350
Certified Elevator Technicians*	797	784	1,130	1,337	1,589	1,562	1,525	1,645	1,650
Certificates of Competency	1,548	1,637	1,871	1,956	1,916	1,734	1,763	1,810	1,797

SOURCE: Extracts and reports from 2008-2016

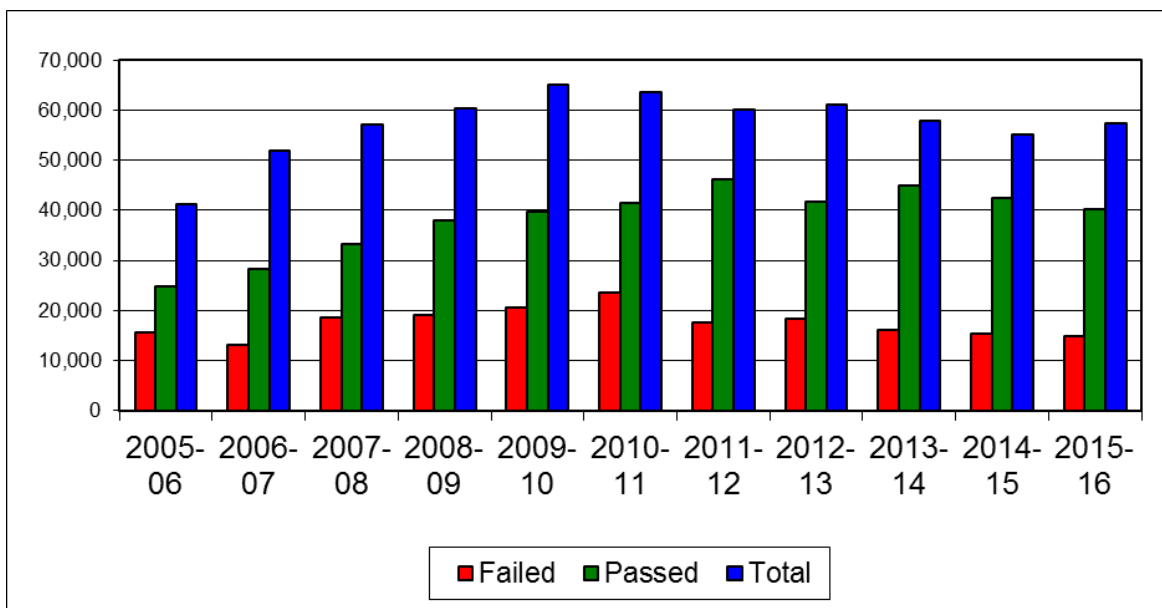


# Bureau of Elevator Safety

**Table 16: Elevator Inspections Performed by Inspection Type–FY 2015-16**

Inspection Type	FAILED	PASSED	TOTAL
Accident	3	0	3
Alteration/Acceptance	69	1,379	1,448
Callback	1,075	7,174	8,249
Complaint	133	91	224
Construction	510	102	612
Contract Monitoring	332	488	820
Industry Oversight/Audit	502	723	1,225
Initial Acceptance	12	1,133	1,145
Routine	13,815	29,565	43,380
Temporary Operation Inspection	25	290	315
<b>Total</b>	<b>16,476</b>	<b>40,945</b>	<b>57,421</b>

**Figure 7: Historical Comparison of Elevator Inspections**



**Table 17: Historical Comparison of Elevator Accidents**

Elevator Type	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total	% Total
Dumbwaiter	2	4	1	1	1	0	1	0	0	10	0.2%
Escalator	413	301	218	236	224	267	183	297	288	2860	63.4%
Hydraulic Freight	10	3	3	5	0	2	3	2	2	37	0.8%
Hydraulic Passenger	30	31	46	44	33	32	18	19	18	302	6.7%
Inclined Lift	0	1	2	1	0	1	0	1	0	6	0.1%
Inclined Wheel	0	1	2	0	0	1	0	0	0	4	0.1%
Limited Use Limited Application	0	0	0	0	1	1	1	0	0	3	0.1%
Moving Walk	46	25	58	91	91	1	64	136	187	753	16.7%
Special Purpose Personnel	1	0	0	0	0	116	0	0	0	117	2.6%
Traction Freight	4	3	1	1	1	0	0	0	0	14	0.3%
Traction Passenger	37	45	53	36	51	42	32	42	35	407	9.0%
<b>Total</b>	<b>543</b>	<b>414</b>	<b>384</b>	<b>415</b>	<b>402</b>	<b>463</b>	<b>302</b>	<b>497</b>	<b>530</b>	<b>4,513</b>	<b>100.0%</b>