

MINUTES

**Board of Architecture and Interior Design
The Biltmore Hotel
1200 Anastasia Avenue
Coral Gables, Florida 33134
Telephone (305) 913-3147**

**October 15, 2019
General Business
9:00 a.m.**

Call to Order

Ms. Bao-Garciga, Chair, called the meeting to order at 9:04 a.m. and a quorum was established.

Members Present:

John Ehrig, Vice-Chair
Miguel Rodriguez
Francisco Costoya
Jonathan Toppe
G. Steven Jernigan
Holly Dennis
Aida Bao-Garciga, Chair
Dylan Rivers
Timothy Nolen
Ivette O'Doski

Others Present:

Robert Milne, Board Counsel
David Minacci, Prosecuting Attorney
Amanda Ackermann, Executive Director
Melissa Minacci, Investigator
Becky Magdaleno, Florida AIA
Michael Armstrong, NCARB CEO
Harry Falconer, NCARB Licensing Advisor
Caitlyn Stromberg, NCARB Council Relations Director
Lisa Nieves, President, ASID Florida South Chapter
Dave Roberts, Esq., Partner, Nortelus Roberts Group

Court Reporter: Verbatim Support Services, LLC, P. O. Box 601425, North Miami Beach, Florida 33160, Telephone 954.467.8204 or Fax 954.467.8214

Disciplinary Cases

Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact

Licensed

DBPR vs. Stanley Paul Hoelle

Case Numbers 2017-057170 and 2018-022044

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$6,000.00 fine plus \$1,987.50 costs, one year suspension, and two years probation

Mr. Hoelle requested a continuance.

Motion: Mr. Costoya moved that the board continue the case until the next meeting.

Second: Mr. Nolen seconded the motion and it passed unanimously.

Motion for Final Order Waiving Formal Hearing

Licensed

DBPR vs. Artefact Studio, Inc., and Fabian Behague

Case Number 2018-050300

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$1,057.40 costs and revocation of certificate of authorization

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel.

The case was before the board based on a one count administrative complaint for practicing architecture through a business entity without a registered architect. The administrative complaint was hand served. The respondent has failed to respond.

After board discussion, the following motion was made.

Motion: Mr. Rivers moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Costoya seconded the motion and it passed unanimously.

Motion: Mr. Rivers moved that the board impose revocation of the certificate of authorization and \$1,057.40 costs to be paid within 30 days of the final order.

Second: Ms. O'Doski seconded the motion and it passed unanimously.

DBPR vs. CVC Hospitality, Inc.

Case Number 2018-057762

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$1,650.00 costs and recovation

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel. The case was before the board based on a two count administrative complaint for the misconduct in the practice of architecture and failure to perform a legal obligation. The administrative complaint was served by certified mail. The respondent has failed to respond.

After board discussion, the following motion was made.

Motion: Mr. Ehrig moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Nolen seconded the motion and it passed unanimously.

Motion: Mr. Rivers moved that the board impose revocation of the certificate of authorization.

Second: Mr. Nolen seconded the motion and it passed unanimously.

DBPR vs. E. Dean Bolaris

Case Number 2018-059738

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$435.00 costs and revocation

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel. The case was before the board based on a one count administrative complaint for misconduct in the practice of architecture. The administrative complaint was served by certified mail. The respondent has failed to respond.

After board discussion, the following motion was made.

Motion: Mr. Ehrig moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Nolen seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the board impose revocation of Mr. Bolaris' architect license, AR12965.

Second: Ms. O'Doski seconded the motion and it passed unanimously.

DBPR vs. Leonard LaForest

Case Number 2019-005296

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$375.00 costs and suspension until compliance

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel.

The case was before the board based on a one count administrative complaint for failing to comply with a final order of the board. The administrative complaint was served by certified mail. The respondent has failed to respond.

After board discussion, the following motion was made.

Motion: Mr. Jernigan moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Motion: Mr. Jernigan moved that the board impose \$375.00 costs and suspension of the license until compliance.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Unlicensed

DBPR vs. David Lee Hernandez

Case Number 2018-045321

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$6,000.00 fine plus \$870.00 costs

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel.

The case was before the board based on a two count administrative complaint for practicing architecture without a license. The administrative complaint was served by certified mail. The respondent has failed to respond. Mr. Minacci explained that Mr. Hernandez was not aware of a prior final order that imposed \$1,000.00 fine plus \$660.00 cost and admitted that he was not aware what he was doing was in violation of the law.

After board discussion, the following motion was made.

Motion: Mr. Nolen moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Motion: Mr. Nolen moved that the board impose a \$1,000.00 fine plus \$870.00 costs to be paid within 30 days of the final order.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

DBPR vs. Jaime Quiles

Case Number 2018-050322

PCP: Hall, Rodriguez, Wirtz, and Rivers

PCP Recommendation: \$1,500.00 fine plus \$735.20 costs

The respondent was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case based on their participation with the Probable Cause Panel. The case was before the board based on a one count administrative complaint for practicing architecture through a business entity without a license. The administrative complaint was hand served, twice, but was unsuccessful. Notice of the administrative complaint was achieved by publishing a notice in the South Florida Business Journal. The respondent has failed to respond.

After board discussion, the following motion was made.

Motion: Mr. Jernigan moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Motion: Mr. Jernigan moved that the board impose a \$1,500.00 fine plus \$735.20 costs to be paid within 30 days of the final order.

Second: Mr. Costoya seconded the motion and it passed unanimously.

DBPR vs. Robert A. Paulding

Case Number 2018-057761

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$6,500.00 fine plus \$712.40 costs

Mr. Paulding was not present or represented by counsel but submitted a request for a continuance.

Motion: Mr. Jernigan moved that the board continue the case until the next meeting.

Second: Mr. Nolen seconded the motion and it passed unanimously.

DBPR vs. Thirlwall Building Design and James Wall

Case Number 2018-041330

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$5,500.00 fine plus \$932.55 costs

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license, using the title “architect” without a license, and practicing architecture through a business entity without a certificate of authorization. The administrative complaint was hand served. The respondent has failed to respond.

After board discussion, the following motion was made.

Motion: Mr. Ehrig moved that the board find that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Rivers seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the board impose a \$5,500.00 fine plus 932.55 costs to be paid within 30 days of the final order.

Second: Mr. Rivers seconded the motion and it passed unanimously.

Settlement Stipulations - Cases marked with an asterisk reflect the Probable Cause Panel's Recommendation.

Unlicensed

DBPR vs. James Baker and Emerald Coast Design Associates, LLC.

Case Numbers 2019-000365 and 2019-000370

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$5,500.00 fine plus \$870.00 costs

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license, using the title “architect” without a license, and practicing architecture through a business entity without a certificate of authorization.

The settlement stipulation reflects a \$1,000.00 fine plus \$870.00 costs. The fine was reduced because this was a first time offense and the respondent agreed to come into compliance. Further there was a licensed architect involved with the project.

After board discussion, the following motion was made.

Motion: Mr. Jernigan moved that the board approve the settlement stipulation as presented.

Second: Mr. Nolen seconded the motion and it passed unanimously.

DBPR vs. LAI Design Associates, LLC, and Richard S. Losee*

Case Number 2018-059662

PCP: Rodriguez, Shore, and Rivers

PCP Recommendation: \$3,500.00 fine plus \$1,607.50 costs

The respondent was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case based on their participation with the Probable Cause Panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license, using the title “architect” without a license, and practicing architecture through a business entity without a certificate of authorization.

After board discussion, the following motion was made.

Motion: Mr. Jernigan moved that the board approve the settlement stipulation as presented.

Second: Mr. Nolen seconded the motion and it passed unanimously.

Application Review

Tewfik Elias Abdelkerim – Architect State Endorsement

Mr. Abdelkerim was not present or represented by counsel. Mr. Abdelkerim applied for licensure by State Endorsement per Section 481.213(3)(b) and 481.209, Florida Statutes. The applicant meets the examination and experience requirements but does not meet the 5 year professional architecture degree requirement per statute and rule. At the time of initial licensure, California’s licensure requirements in 2009 were not substantially equivalent or more stringent than Florida’s requirements. Mr. Abdelkerim holds a Bachelor of Science in Architectural Engineering.

Mr. Abdelkerim has the option to apply by NCARB Endorsement through the alternate education or foreign architecture licensure route. After board discussion, the following motion was made.

Motion: Mr. Rodriguez moved that the board deny the application based on the lack of education specifying deficiencies and give Mr. Abdelkerim the opportunity to withdraw the application within 30 days of the filing of the notice of intent to deny.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Kathy Selvidge Tonner – Interior Design Endorsement

Ms. Tonner was not present or represented by counsel. Ms. Tonner applied for licensure by Endorsement per Section 481.213(3)(b) and 481.209, Florida Statutes. The applicant meets the examination and experience requirements but does not meet the education requirements of graduating from an interior design degree program.

Mr. Minacci reported that there was a pending disciplinary case against Ms. Tonner.

Motion: Mr. Rodriguez moved to deny the application based on the lack of education required by statutes and rules.
Second: Mr. Toppe seconded the motion and it passed with Mr. Ehrig opposed.

Interior Design Programs or Curricula Approved by the Board

Seminole State College

- Associate in Science (AS) Interior Design Technology

After board discussion, the following motion was made.

Motion: Mr. Rodriguez moved that the board approve the curriculum as presented.
Second: Mr. Nolen seconded the motion and it passed unanimously.

- Bachelor of Applied Science (BAS) Interior Design

After board discussion, the following motion was made.

Motion: Mr. Rodriguez moved that the board approve the curriculum as presented.
Second: Mr. Toppe seconded the motion and it passed unanimously.

Ratification Lists

Licensure

Architect Licensed by Initial Examination, Architect Licensed by NCARB Examination, Architect Licensed by NCARB Endorsement, Architect Licensed by State Endorsement, Architect Licensed by Direct Endorsement, Architect Licensed by Reinstatement of Null and Void/Hardship, Architect Business Licensed by Corporation, Partnership, Limited Liability Company, and Fictitious Name, Interior Designer Licensed by Endorsement, Interior Designer Licensed by Dual Licensure, Interior Designer Licensed by Reinstatement of Null and Void/Hardship, Interior Design Business Licensed by Limited Liability Corporation and Fictitious Name, Interior Design Business Licensed by Dual Licensure

Motion: Mr. Nolen moved that the board approve the licensure ratification list as presented.
Second: Mr. Jernigan seconded the motion and it passed unanimously.

Continuing Education

Allen M. Weiss-Sesco Lighting, Boss Construction School, and JC Code & Construction Consultants, Inc.

Motion: Mr. Nolen moved that the board approve the continuing education list as presented.
Second: Mr. Jernigan seconded the motion and it passed unanimously.

Discussion

Mike Armstrong, Chief Executive Officer, NCARB

Mr. Armstrong reported that he periodically visits state boards and associations to understand their needs and provide better service. He reported that a draft of proposed streamlined updates for the model law portfolio and regulation language has been released, he addressed issues regarding the desire of states to deregulate the architecture profession by providing examples of the portability of the examination and education alternatives, and he encouraged board members to volunteer and get involved with NCARB committees.

A task force has been created to review “Interiors” regarding the degrees named and conferred in Interior Architecture, the roles and responsibilities of associations, and the architecture and interior design expectations being specialized and becoming more technical and sophisticated.

A new Alliance of professionals has been created that includes architects, engineers, landscape architect, accountants, etc., along with professional societies and associations. The Alliance will discuss and analyze the value of licensure and regulation of professionals.

Additional task forces have been created to review the definition and expectations of architects including examination and experience. The task force encourages input from a wide public ethnic and demographic range. NCARB will be reviewing a white paper that was issued previously.

Mr. Armstrong urged the board to sign on to the Mutual Recognition Agreements to facilitate international licensure.

The board discussed and voiced concerns regarding the accreditation process performed by the National Architectural Accrediting Board (NAAB) regarding learned pro-practice in school versus in an architectural firm.

Annual Regulatory Plan, 2019-2020

Mr. Milne briefly reviewed the plan for information purposes.

Rules Report

Rule 61G1-17, Fees

Mr. Milne reported that rules 17.001 and 17.002 were moving forward through the rule making process.

61G1-17.001 Professional Fees and Penalties for Architects.

The following fees and penalties are hereby adopted by the Board:

- (1) The fee for licensure by initial examination shall be \$35.00 ~~60.00~~.
- (2) The biennial renewal fee for individuals electing active status shall be \$100.00 ~~125.00~~.
- (3) The application fee for a Certificate of Authorization by a corporation or partnership shall be \$75.00 ~~100.00~~.
- (4) The biennial renewal fee for a Certificate of Authorization shall be \$100.00 ~~125.00~~.
- (5) The fee for licensure by endorsement shall be as follows:

(a) For those individuals holding Council Certification (blue cover) from the National Council of Architecture Registration Boards (NCARB) ~~\$65.00~~ \$90.00.

(b) For all other applicants ~~\$175.00~~ \$200.00.

(6) The fee to reactivate an inactive status license (at the normal biennial renewal time) shall be ~~\$75.00~~ \$100.00.

(7) Any applicant who takes the professional examination may, upon payment of ~~\$50.00~~ \$75 to the Department and any fees required by NCARB, and at a mutually convenient time, examine her or his answers or questions, papers, grades and grading key upon such terms and conditions as set forth by the Department of Business and Professional Regulation. All such reviews shall be subject to NCARB and Department testing security requirements in order to insure the integrity of the examination.

(8) There shall be a \$5.00 fee collected both upon initial licensure and license renewal for the purpose of combating unlicensed activity. This fee shall be collected in addition to all other fees collected from each licensee, except that if the Department concurs and the Board is not in deficit, this fee shall be earmarked from the current licensure fee.

(9) The fee for a license status change (active to inactive or inactive to active) at any time during the biennium, other than the normal biennial renewal time shall be \$50.00.

(10) In addition to the regular biennial renewal fee, the fee to renew either an active or inactive status license after the deadline for renewal (and the license has become delinquent) shall be \$25.00.

(11) The fee to renew an inactive status license shall be ~~\$50.00~~ \$75.00.

(12) The application fee to reinstate a void license is ~~\$475.00~~ \$500.00.

Rulemaking Authority 455.213, 455.217(4), 455.2281, 455.271, 481.2055, 481.207 FS. Law Implemented 455.217(4), 455.2281, 455.271, 481.207, 481.209, 481.219 FS. History— New 12-23-79, Amended 12-19-82, 5-18-83, 6-12-84, 7-30-85, Formerly 21B-17.01, Amended 9-23-86, 5-16-87, 12-6-87, 4-17-89, 12-24-89, 3-14-91, Formerly 21B-17.001, Amended 9-27-93, 8-21-94, 11-21-94, 4-22-97, 3-15-99, 9-7-04, 10-23-06, 9-24-12, 9-17-17, 10-22-18_____

61G1-17.002 Professional Fees and Penalties for Interior Designers.

(1) The application and initial licensure fee for the interior designers shall be thirty dollars (\$30). However, in no event will an initial license be issued if the application and initial licensure fee and all required documents are not received within 6 months of the date of certification by the Board. In such case, the certification expires and the individual affected must reapply and requalify for licensure based on the laws and rules in effect at the time of the new application.

(2) The biennial renewal fee for individuals electing active status shall be ~~\$100.00~~ \$125.00.

(3) The application fee for a Certificate of Authorization by a corporation or partnership shall be ~~\$75.00~~ \$100.00.

(4) The biennial renewal fee for a Certificate of Authorization shall be ~~\$100.00~~ \$125.00.

(5) The fee for licensure by endorsement shall be \$30.

(6) The fee for reactivation from inactive status shall be ~~\$75.00~~ \$100.00.

(7) Any applicant who takes the professional examination may, upon payment of ~~\$50~~ \$75 to the Department, and at a mutually convenient time, examine his answers or questions, papers, grades and grading key upon such terms and conditions as set forth by the Department of Business and Professional Regulation. All such reviews shall be subject to national and Department testing security requirements in order to insure the integrity of the examination.

(8) The applicant pays examination fees directly to the National Council for Interior Design Qualifications (NCIDQ).

(9) Provider Fees and Continuing Education Course Fees.

(a) The application fee for continuing education providership is \$25.

(b) The application fee for each continuing education course is \$25. Course renewals are contingent upon the renewal of their corresponding provider.

(c) Providerships and courses may be renewed at the end of the biennium for a fee of \$25 each.

(10) There shall be a \$5.00 fee collected both upon initial licensure and license renewal for the purpose of combating unlicensed activity. This fee shall be collected in addition to all other fees collected from each licensee, except that if the Department concurs and the Board is not in deficit, this fee shall be earmarked from the current licensure fee.

(11) The processing fee shall be \$50.00. This fee is charged when a licensee changes status at any time during the biennium, other than the normal biennial renewal time.

(12) There will be a \$25.00 delinquency fee.

(13) There will be a ~~\$50.00~~ \$75.00 fee for renewal of an inactive license.

(14) Application fee for architects who wish to be registered as interior designers is \$30.00.

(15) The application fee to reinstate a void license shall be ~~\$475.00~~ 500.00.

Rulemaking Authority 455.213(2), 455.2281, 455.271, 481.2055, 481.207, 481.229(5)(b) FS. Law Implemented 455.2281, 455.271(6), 481.207, 481.219, 481.229 FS. History—New 12-21-88, Amended 5-10-89, 7-2-89, 12-24-89, 12-3-90, 2-28-91, 5-31-92, 11-11-92, Formerly 21B-17.002, Amended 9-27-93, 11-15-93, 11-21-94, 1-31-96, 10-20-96, 1-10-99, 3-15-99, 9-7-04, 11-9-06, 8-26-12, 9-17-17, 10-22-18_____.

Rule 61G1-23, Responsible Supervisory Control

Mr. Minacci voiced concern that the rule, as is, would remove the requirement of an architect in every office. The board reviewed different scenarios to determine if the drafted language meets the minimum threshold of supervising projects to protect health, safety, and welfare. The board discussed the need to refer to 481.225(1)(g) and 481.2251(1)(o), F.S., and include an individual in responsible supervising control being assigned to an office. The board discussed clarifying an agreement as a “written agreement”.

61G1-23.010 Responsible Supervising Control over Architectural or Interior Design Work.

The preparation of architectural or interior design work, defined in section 481.203(6)(8), F.S., must occur under the responsible supervising control of an architect or interior designer licensed in this State. Such control ensures that the required professional standard of care is applied, in order to safeguard the public from harm and confirm that the owner’s needs and requirements as well as applicable codes and standards are met.

1. The responsible supervising control which is required of architects or interior designers prior to signing and sealing architectural or interior design documents, as that term is used in section 481.221 (6)(7), F.S., shall mean:
 - a. Direct contact between the architect or interior designer and his/her client.
 - i. The client shall have direct access at all times, during the preparation of all architectural or interior design work. Access shall begin with the start of the work and continue, without interruption until the work is completed or construction of the project is completed.
 - b. To avoid ambiguity, the architect or interior designer and their client should have a clear agreement, describing in detail, the work to be done and all pertinent requirements such as, but not limited to time for performance and general expectations.
 - c. The architect or interior designer shall have direct participation in and detailed knowledge of the work, during its progress. Such involvement shall include, but not be limited to:
 - i. Direct preparation of research, investigations, designs or documents.
 - ii. Regular review and examination, with commentary on designs or documents while their preparation is progressing.
 - iii. Meetings with clients, at times appropriate to the progress of the work, for the review of

- project goals, requirements and expectations.
 - iv. Meetings with others, having authority over the work, such as: representatives of agencies having jurisdiction over the project, contractors, manufacturers, consultants, etc.
 - v. Review, examination, modification, approval and adoption of work prepared by others and to be incorporated in the work.
 - vi. Review, comment on and revision, as necessary, of the various documents required for execution of the work.
2. An architect or interior designer shall provide responsible supervising control though direct employment of others who may themselves be ~~themselves~~-licensed or who are ~~otherwise~~-duly trained and knowledgeable.
 3. Indirect employment arrangements, such as independent contractors, may not provide responsible supervising control on behalf of a licensee, unless there is a specific written agreement governing those services, which details the duties and responsibilities of the architect or interior designer and the independent contractor with respect to responsible supervising control, as described in (2) above.
 4. When work prepared by an architect, falls within the definition of Interior Design in Section 481.203(8), the procedures of 61G1-23.010 shall be followed.
 5. When work that falls within the definition of Interior Design in Section 481.203(8) and prepared by a licensed interior designer is to be incorporated in the architect's work, the procedures of 61G1- 23.010(1)(c)(v) above, shall be followed.
 6. Notwithstanding the above provisions, an architect's or interior designer's duty to exercise responsible supervisory control over his/her work, is un-delegable.

61G1-23.015 Demonstrating the Application of Responsible Supervising Control over Architectural or Interior Design Work.

The Board may, as part of its investigation of a complaint against a licensee, require that an architect or interior designer provide evidence which demonstrates that the architect or interior designer has provided an appropriate level of Supervising Control over a project or projects.

1. Evidence demonstrating Responsible Supervising Control shall consist of project records, customary to architectural practice by an architect exercising the required professional standard of care, such as:
 - a. Written project agreements.
 - b. Records memorializing meetings between project participants.
 - c. Communications between project participants.
 - d. Documentation of research, or investigations conducted on behalf of the project.
 - e. Design sketches at various stages of development, indicating the progress of the project.
 - f. Notations memorializing reviews, corrections or revisions of documents prepared for the project.
2. Evidence may be presented in any media which can be readily reviewed by the Board and must be sufficient to demonstrate the application of Responsible Supervising Control across the duration of the Project timeline.
3. Initial determination of the sufficiency of evidence presented will be by the Board, or its Probable Cause Panel, as appropriate.

61G1-23.025-020 Responsible Supervising Control for Documents for Exempt Buildings Which Require an Architect's or Interior Designer's Seal and Signature for Building Permit Purposes.

The procedures set forth in Rule 61G1-23.015-~~10~~, F.A.C., shall also be followed when an architect or interior designer is required by local building ordinance to sign and seal plans for buildings which unlicensed persons are authorized to design under the exceptions contained in Sections 481.229(1)(a)-(c), F.S.

61G1-23.030 ~~025~~ Standards for Architectural or Interior Design Supervision in Construction or Marketing Office.

(1) An architectural or interior design office which is a construction or field office is ~~not~~ considered as offering architectural or interior design services to the public, and therefore, ~~does not need a separate architect assigned directly to~~ **such office must comply with the requirements of 61G1-23.010, above.**

(2) An architect or interior designer shall not be required to be assigned to a marketing office. A marketing office is defined as an office of an architectural or interior design firm wherein no production of drawings, specifications, reports or other professional work occurs and is intended solely for the purpose of advertising or marketing an architectural or interior design firm's services to the public. The client contact permitted as a marketing office by non-registered persons shall only include marketing a firm's qualifications and capabilities. No other professional activities shall be performed at this office.

(3) Any architect, interior designer or architectural or interior design firm can advertise in any medium, ~~including the telephone directory yellow pages~~, even if no office is physically present in the area of the advertisement. Such advertisement or listing, however, shall not mislead the public into believing that the phone number and address given is capable of offering architectural or interior design services to the public if in fact the phone or address listed is not an architectural or interior design office and shall be clearly listed or designated as a marketing office only or a construction or field office, as applicable.

(4) All firms shall notify the Board of Architecture and Interior Design of the location of all marketing offices and the individuals who will be assigned to such office within sixty (60) days of such an assignment.

Motion: Mr. Rodriguez moved that the board continue the draft language until the next meeting.

Second: Mr. Toppe seconded the motion and it passed unanimously.

Rule 61G1-21, Continuing Education Interior Designers / Handbook

Motion: Mr. Rodriguez moved that the board continue the review of Rule 61G1-21, F.A.C., until the next meeting.

Second: Mr. Rivers seconded the motion and it passed unanimously.

Rule 61G1-24, Continuing Education Architects / Handbook

Motion: Mr. Rodriguez moved that the board continue the review of Rule 61G1-24, F.A.C., until the next meeting.

Second: Mr. Rivers seconded the motion and it passed unanimously.

Continuing Education Rule Examples

- Construction Rule 61G4-18, F.A.C.
- Building Code Administrators and Inspectors Rule 61G19-9, F.A.C.
- NCARB Continuing Education Health, Safety, and Welfare (HSW)

For information purposes.

Reports

Board Chair – Aida Bao-Garciga

Ms. Bao-Garciga reported that the Interior Design profession is being considered for deregulation.

ASID – Dave Roberts

Mr. Roberts reported that Senate Bill 474 has been filed to deregulate the profession of Interior Design and is sponsored by Senator Albritton. He mentioned that the bill did not include as many professions as last year and that a Sunset Bill has been filed which requires each profession prove their worth or need. The Sunset Bill allows for deregulation, corrections, updates, etc. He reported that the department is supporting Senate Bill 474.

The board discussed that associations could file their own bill to address issues such as removing the certificate of authorization similar to what the Board of Professional Engineers did last session.

Executive Director's Report – Amanda "Mandie" Ackermann

- Operating Account ending June 30, 2019
- Unlicensed Activity ending June 30, 2019

Ms. Ackermann briefly reviewed the financial reports and reported that the board is in good financial condition. Per the Governor's directive, there is a ban on out of state travel. The board discussed the importance of attending NCARB and CIDQ meetings.

Ms. Ackermann presented a plaque to Mr. Ehrig and thanked him for his board service.

AIA Florida – Becky Magdaleno

Ms. Magdaleno reported that Ms. Long was attending the Florida Building Commission meeting to monitor changes and updates to the code. A bill has been filed to update the Consultants Competitive Negotiation Act (CCNA). AIA National has revised their continuing education course reviews to be in line with NCARB's health, safety, and welfare guidelines. She provided an overview of the 2019 Florida AIA Annual Conference.

IDAF – Cynthia David

Not present.

Prosecuting Attorney's Report – David K. Minacci

- Prosecutor's Case List Licensed/Unlicensed Cases
- Investigator's Case List Licensed/Unlicensed Cases
- Fines Chart – Summary
- Fines Chart – Unlicensed
- Fines Chart – Licensed
- Billable Hours – July 2019
- Billable Hours – August 2019

- Results of the July 2019 Board Meeting
- Results of the July 2019 PCP Meeting

Mr. Minacci provided the reports for information.

Future Board Meeting Dates and Locations

The board discussed meeting in conjunction with other professions such as the Building Code Inspectors and Administrators Board.

St. Petersburg area – *Consider Changing Location*

April 16, 2020, 9:00 a.m. Probable Cause Panel

April 17, 2020, 9:00 a.m. General Business

The board discussed changing the meeting location to Sarasota to meet in conjunction with AIA Gulf Coast Sarasota Design Conference.

New Business

The board discussed adding the Elections to the agenda.

Motion: Mr. Rodriguez moved that Board Member Elections be added to the agenda.

Second: Mr. Toppe seconded the motion and it passed unanimously.

Chair

Motion: Mr. Rodriguez elected Mr. Jernigan as Chair.

Second: Mr. Toppe seconded the motion and it passed unanimously.

Mr. Rodriguez thanked Ms. Bao-Garciga for her service to the board and public of Florida.

Vice-Chair

Motion: Mr. Ehrig elected Ms. Dennis as Vice-Chair.

Second: Mr. Rodriguez seconded the motion and it passed unanimously.

Old Business

No old business.

Adjourn

Motion: Mr. Ehrig moved that the meeting adjourn.

Second: Mr. Rodriguez seconded the motion and it passed unanimously.

The meeting adjourned at 12:43 p.m.