

## MINUTES

Board of Architecture and Interior Design  
Hampton Inn & Suites  
80 Beach Drive, NE  
St. Petersburg, Florida 33701  
727.892.9900

November 21, 2013  
9:00 a.m.

### General Business

#### Call to Order

Board Members Present:  
John Ehrig, Chair  
Francisco "Frank" Costoya  
Miguel Rodriguez  
Jonathan Toppe  
Aida Bao-Garciga  
Kenan Fishburne  
J. Emory Johnson  
Dylan Rivers

Others Present:  
Juanita Chastain, Executive Director  
Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Trent Manausa  
Diana Cook  
Daniel Shaheen

Court Reporter: Prizm Group LLC dba Berryhill Court Reporting, 501 East Kennedy Boulevard, Suite 775, Tampa, Florida 33602. Telephone: 813.229.8225.

Mr. Ehrig, Chair, called the meeting to order at 9:04 a.m. He welcomed Mr. Rivers to the board, confirmed a quorum, and performed an invocation.

Mr. Minacci requested that the following settlement stipulations be handled on a consent agenda.

#### Settlement Stipulations

Licensed

DBPR vs. Ali Ajalli  
Case Number 2012-052921  
PCP: Hall, Shore, and Costoya

DBPR vs. Diana Cook  
Case Number 2012-052923  
PCP: Hall, Shore, and Costoya

DBPR vs. Erik Garcia  
Case Number 2012-052929  
PCP: Hall, Shore, and Costoya

DBPR vs. Timothy Todd Martin  
Case Number 2012-052962  
PCP: Hall, Shore, and Costoya

DBPR vs. Christine M. McGrew-King  
Case Number 2013-024761  
PCP: Hall, Shore, and Costoya

DBPR vs. Kit Lai Poon  
Case Number 2013-024766  
PCP: Hall, Shore, and Costoya

DBPR vs. R. Dale Robertson  
Case Number 2013-007357  
PCP: Hall, Shore, and Costoya

DBPR vs. David Edwin Runnels  
Case Number 2012-052980  
PCP: Hall, Shore, and Costoya

Unlicensed

DBPR vs. Ivan D. Venegas  
Case Number 2011-061017  
PCP: Hall, Shore, and Costoya

*Voluntary Relinquishment*

DBPR vs. William Robert Bingham  
Case Number 2013-039598

DBPR vs. Linda Crow Caden  
Case Number 2013-024745

DBPR vs. Allen J. Davis  
Case Number 2011-034638 and 2013-016370  
DBPR vs. Florence Durfee  
Case Number 2013-030182

DBPR vs. Douglas H. Lee  
Case Number 2013-008877

DBPR vs. Katherine V. Martin  
Case Number 2013-024757

DBPR vs. Eric Maspons  
Case Number 2013-030029

DBPR vs. Bruce Rein  
Case Number 2013-029797

DBPR vs. Donald W. Shuey  
Case Number 2012-052672

DBPR vs. Joachin-Paul Von Kronburg  
Case Number 2013-030227

DBPR vs. Surindra N. Parti  
Case Number 2013-030032

Motion: Mr. Toppe made a motion that the board accepts the settlement stipulations as presented on the consent agenda.

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

### **Disciplinary Cases**

#### *Motion to Reconsider Final Order*

DBPR vs. Gilberto Gavarrete (Unlicensed)

Case Number 2011-035534

PCP: Hall, Shore, and Costoya

Mr. Gavarrete was not present or represented by counsel. Mr. Costoya was recused from the vote based on his participation on the probable cause panel. The case was before the board based on Mr. Gavarrete requesting that the board reconsider their action taken at the August meeting. The board determined

there was no new information presented and after discussion the following motion was made.

- Motion: Ms. Bao-Garciga moved that the board deny the request to reconsider the final order based on no new evidence and the individual did not appear to provide testimony.
- Second: Mr. Johnson seconded the motion and it passed unanimously.

Motion for Final Order

DBPR vs. John A. Weller (Unlicensed)

Case Number 2011-047903

PCP: Hall, Shore, and Costoya

Mr. Weller was not present or represented by counsel. Mr. Costoya was recused from the vote based on his participation on the probable cause panel. Mr. Minacci presented the facts of the case to the board. The case was before the board based on a two count amended administrative complaint for providing architectural services on a commercial project when not licensed and signed and seal plans with a void professional engineers seal.

The probable cause panel recommended a \$10,000 fine plus costs. After discussion the following motions were made.

- Motion: Ms. Bao-Garciga moved that the board finds that the amended 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.
- Second: Ms. Fishburne seconded the motion and it passed unanimously.
- Motion: Mr. Toppe moved that the board adopts the findings of fact and conclusions of law as set forth in the amended administrative complaint.
- Second: Mr. Rodriguez seconded the motion and it passed unanimously.
- Motion: Mr. Johnson moved that the board impose a \$10,000 fine plus costs.
- Second: Mr. Rodriguez seconded the motion, Ms. Fishburne opposed, and the motion passed.

Motion for Order Waiving Formal Hearing

DBPR vs. Richard Glen Moore (Licensed)

Case Number 2012-052965

PCP: Hall, Shore, and Gozdz

Mr. Moore was not present or represented by counsel. Mr. Minacci presented the facts of the case to the board. The case was before the board based on the respondent failing to complete the required continuing education hours for renewal of licensure.

The probable cause panel recommended a \$1,000 fine plus costs, 40 hours of continuing education, and suspension until compliance as set forth in rule. After discussion the following motion was made.

Motion: Mr. Rodriguez moved that the board impose a \$1,000 fine plus costs, 40 hours of continuing education, and suspension until compliance.  
Second: Mr. Costoya seconded the motion and it passed unanimously.

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

DBPR vs. Eric O. Ryder (Licensed)  
Case Numbers 2013-024772  
PCP: Hall, Shore, and Gozdz

Mr. Ryder was not present or represented by counsel. Mr. Minacci presented the facts of the case to the board. The case was before the board based on the respondent failing to complete the required continuing education hours for renewal of licensure.

The probable cause panel recommended a \$750.00 fine plus costs and 27 hours of continuing education to be completed within 150 days of the date final order is filed as set forth in rule.

Motion: Ms. Bao-Garciga moved that the board adopts 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: Ms. Bao-Garciga moved that the board impose a \$750 fine plus costs and 27 hours of continuing education to be completed within 150 days of the final order.  
Second: Mr. Rivers seconded the motion and it passed unanimously.

*Settlement Stipulations*

Licensed

DBPR vs. Faulkner Eyo  
Case Number 2012-044698  
PCP: Hall, Shore, and Costoya

Mr. Eyo was not present or represented by counsel. Mr. Costoya was recused from the vote based on his participation on the probable cause panel. Mr. Minacci presented the facts of the case to the board. The case was before the board based on a prior disciplinary action that imposed probation on the respondent. This case was for negligence for final drawings that were submitted to the probable cause panel as required during probation; however during discovery for a hearing for this case it was found that the drawings submitted to the panel were not final permitted drawings. Due to miscommunication between the respondent and Mr. Minacci during the prior probationary period, Mr. Minacci offered a resolution to this case with an additional two year probation and submittal of final permitted drawings for the probable cause panel's review.

The probable cause panel recommended revoking the license. The settlement stipulation reflects costs and two years of probation.

Motion: Mr. Rodriguez moved that the board accept the settlement stipulation as presented.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Lourdes V. Reynafarje  
Case Number 2012-052974  
PCP: Hall, Shore, and Costoya

Ms. Reynafarje was not present or represented by counsel. Mr. Costoya was recused from the vote based on his participation on the probable cause panel. Mr. Minacci presented the facts of the case to the board. The case was before the board based on the respondent failing to complete the required continuing education hours for renewal of licensure.

The settlement stipulation reflects a \$750.00 fine plus costs and proof of completing 29 hours of continuing education within 150 days of from the date the final order is filed.

Motion: Mr. Rivers moved that the board accept the settlement stipulation as presented.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

### Settlement Stipulations

Unlicensed

DBPR vs. DDS Studios, Inc., DDS Studios Architectural Rendering, and Daniel Shaheen  
Case Number 2012-015729  
PCP: Hall, Shore, and Costoya

Mr. Shaheen was present and sworn in by the court reporter. Mr. Costoya was recused from the vote based on his participation on the probable cause panel. Mr. Minacci presented the facts of the case to the board. The case was before the board based on a three count administrative complaint for the respondent offering architectural services on a web site when not licensed and offering through a business entity without a certificate of authorization.

The probable cause panel recommended a \$15,000 fine plus costs. The settlement stipulation reflects a \$1,500 fine plus costs and an appearance before the board was required. The fine was reduced because Mr. Minacci met with the respondent and he now understands the statutory requirements and agreed to appear before the board. After discussion the following motion was made.

Motion: Ms. Bao-Garciga moved that the board accept the settlement stipulation as presented.

Second: Mr. Rodriguez seconded the motion.

After further discussion the motion was withdrawn and the following motions were made.

Motion: Mr. Rodriguez moved that the board reject the settlement stipulation as presented.

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

Motion: Mr. Toppe moved that the board impose a \$750 fine plus costs to be paid in 24 months as a counter offer to the rejected stipulation.

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

Mr. Shaheen accepted the counter offer.

## **Rules Report**

### Rules Report

Ms. Clark reported that all rules in development were now effective.

Rule 61G1-16.004, Title Block  
SERC checklist

#### 61G1-16.004 Title Block.

A title block must appear on all architectural or interior design drawings and specification identification sheets that are required to be signed and sealed. The title block must, at a minimum, contain the following information:

- (1) Firm name, address, and telephone number.
- (2) Firm license number.
- (3) Name or identification of project.

- (4) Date prepared.
- (5) A space for the signature and dated seal.
- (6) The A space for the printed name and the license/registration number of the person sealing the document.
- (7) The date of plans revision, if the plans are revised.
- (8) For the purposes of this rule, firm is defined to be a corporation, limited liability company, partnership, person practicing under a fictitious name, or person practicing architecture or interior design in his or her own name.

*Rulemaking Specific Authority 481.2055, 481.221(1), (3) FS. Law Implemented 481.221(1), (3) 481.203(6), 481.203(8), 481.2131(1), 481.219(3),(4),(5), 481.221, 481.225(1)(e),(g), 481.2251(1)(h) FS. History–New 9-7-00,\_\_\_\_\_.*

After discussion the following motion was made.

Motion: Ms. Bao-Garciga moved that the board notice Rule 61G1-16.004, Title Block, for rule development and approve the language as amended.

Second: Ms. Fishburne seconded the motion and it passed unanimously.

Motion: Mr. Johnson moved that the proposed rule would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory cost to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule and that no statement of estimated regulatory cost need be prepared.

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

Rule 21.006, Inactive or Delinquent Florida Registered Interior Designers Who Desire Reactivation  
SERC checklist

61G1-21.006 Inactive ~~or Delinquent~~ Florida Registered Interior Designers Who Desire to Reactivate.

(1) Each registered interior designer who has requested inactive status ~~or has become delinquent~~ and who desires to become an active licensee, shall apply for such reactivation, using form DBPR ID 2, entitled "Application for Interior Design Reactivation," effective \_\_\_\_\_ and incorporated by reference and available at \_\_\_\_\_.

(2) In order to reactivate, an inactive ~~or delinquent~~ licensee must complete at least one renewal cycle of continuing education as specified in Rule 61G1-21.001, F.A.C. The necessary hours must have been completed in the twenty-four months immediately preceding the date of application for reactivation. This twenty-four month requirement will be waived where the licensee can document completion of the requirements in the same manner as if the licensee had remained active.



*Rulemaking Authority 455.271(6), ~~(7)~~, ~~(10)~~, 481.217, 481.2055 FS. Law Implemented 455.271(5), (6) ~~(10)~~, 481.217 FS. History—New 11-15-93, Amended 8-9-99, 9-24-12, \_\_\_\_\_.*

Motion: Mr. Johnson moved that the board notice Rule 61G1-21.006, Inactive Florida Registered Interior Designers Who Desire to Reactivate, for rule development and approve the language as presented.

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

Motion: Mr. Costoya moved that the proposed rule would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory cost to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule and that no statement of estimated regulatory cost need be prepared.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Costoya moved that the board approve the SERC checklist as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

#### Rule 21.009, Definition of a Complete Application SERC checklist

#### 61G1-21.009 Definition of a Complete Application.

A complete application to be submitted by licensees and certificate holders who are inactive is defined as containing the following:

- (1) License or certificate number;
- (2) Name, address, and telephone number of licensee or certificate holder;
- (3) For an individual licensee,
  - (a) The name, license number, and license status of the licensee's employer;
  - (b) The licensee's date of birth;
  - (c) If the licensee provided interior design services during the inactive period, the name, license number, signature and seal imprint of the interior designer who supervised the licensee's work;
  - (d) A statement by the licensee that the licensee either practiced or did not practice interior design in Florida while in an inactive status and whether the licensee practiced under the direct supervision of a duly licensed interior designer;
  - (e) A list of the last three projects initiated or completed wherein the licensee provided interior design services in the State of Florida stating the client's name and address, project location, and date of completion for each project;
  - (f) A statement that the licensee has completed the continuing education requirements in accordance with Sections 481.215 and 481.217, F.S.
- (4) For a certificate holder,
  - (a) The name, license number, and license expiration date of registered

interior designer who qualifies the business;

(b) The name and license number of all other registered interior designers employed by the company;

(c) A list of the last three projects initiated or completed wherein interior design services were offered in Florida giving the client's name and address, project location and date of completion;

(d) A statement that the company either has or has not provided interior design services during the period the license was in an inactive status with an explanation which summarizes details surrounding the interior design services if provided.

(5) The licensee's or certificate holder's signature.

*Rulemaking Authority 481.2055 FS. Law Implemented 455.271(6), 481.217 FS. History--New 1-10-99, Amended 5-28-12, Formerly 61G1-24.003.*

Motion: Mr. Toppe moved that the board repeal Rule 61G1-21.009, Definition of a Complete Application.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Rodriguez moved that the board approve the SERC checklist as presented.

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

Rule 24.004, Inactive or Delinquent Florida Registered Architects Who Desire to Reactivate  
SERC checklist

61G1-24.004 Inactive or Delinquent Florida Registered Architects Who Desire to Reactivate.

(1) Each registered architect who has requested inactive status ~~or has become delinquent~~ and who desires to become an active licensee, shall apply for such reactivation on form DBPR AR 3, entitled "Application for Architecture Reactivation," effective \_\_\_\_\_ and hereby incorporated by reference and available at \_\_\_\_\_.

(2) In order to reactivate, an inactive ~~or delinquent~~ licensee must complete at least one renewal cycle of continuing education as specified in Rule 61G1-24.001, F.A.C. The necessary hours must have been completed in the twenty-four months immediately preceding the date of application for reactivation. This twenty-four month requirement will be waived where the licensee can document completion of the requirements in the same manner as if the licensee had remained active.

*Rulemaking Authority 455.271(6), ~~(7), (10)~~, 481.217, 481.2055 FS. Law Implemented 455.271(5), ~~(6)~~ ~~(10)~~, 481.217 FS. History--New 9-24-12, \_\_\_\_\_.*

Motion: Mr. Rodriguez moved that the board notice Rule 61G1-24.004, Inactive Florida Registered Architect Who Desire to Reactivate, for rule development and approve the language as presented.

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

Motion: Mr. Toppe moved that the proposed rule would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory cost to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule and that no statement of estimated regulatory cost need be prepared.

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

Motion: Mr. Johnson moved that the board approve the SERC checklist as presented.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

#### Rule 61G1-24.005, Definition of a Complete Application SERC checklist

##### 61G1-24.005 Definition of a Complete Application.

A complete application to be submitted by licensees and certificate holders who are inactive is defined as containing the following:

- (1) License or certificate number;
- (2) Name, address, and telephone number of licensee or certificate holder;
- (3) For an individual licensee,
  - (a) The name, license number, and license status of the licensee's employer;
  - (b) The licensee's date of birth;
  - (c) If the licensee provided architecture services during the inactive period, the name, license number, signature and seal imprint of the architect who supervised the licensee's work;
  - (d) A statement by the licensee that the licensee either practiced or did not practice architecture in Florida while in an inactive status and whether the licensee practiced under the direct supervision of a duly licensed architect;
  - (e) A list of the last three projects initiated or completed wherein the licensee provided architecture services in the State of Florida stating the client's name and address, project location, and date of completion for each project;
  - (f) Verification that the licensee has completed the continuing education requirements in accordance with Sections 481.215 and 481.217, F.S.
- (4) For a certificate of authorization holder,
  - (a) The name, license number, and license expiration date of registered architect who qualifies the business;
  - (b) The name and license number of all other registered architects employed by the company;
  - (c) A list of the last three projects initiated or completed wherein architecture

services were offered in Florida giving the client's name and address, project location and date of completion;

(d) A statement that the company either has or has not provided architecture services during the period the license was in an inactive status with an explanation which summarizes details surrounding the architecture services if provided.

(5) The licensee's or certificate holder's signature.

*Rulemaking Authority 481.2055 FS. Law Implemented 455.271(5), (6), 481.217 FS. History--New 8-9-99, Amended 5-28-12, Formerly 61G1-21.008.*

Motion: Mr. Toppe moved that the board repeal Rule 61G1-24.005, Definition of a Complete Application.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Costoya moved that the board approve the SERC checklist as presented.

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

61G1-25.003 Certification Qualifications Program for Threshold Building Inspectors.

(1) The minimum qualifying criteria for threshold building inspectors established by the Board shall be as follows:

(a) Proof of current licensure in good standing as an architect in the State of Florida.

(b) Three years of experience in performing structural field inspections on at least three threshold type buildings. This experience must be within ten calendar years preceding submission of the application.

(c) Self-certification as to the competency of the applicant to perform structural inspections on threshold buildings.

~~(2) All licensed architects who are special inspectors and on the Roster of Special Inspectors maintained by the Department of Community Affairs, pursuant to Rule 9B-3.043, F.A.C., as of June 30, 2000 shall be qualified pursuant to this rule and shall be certified threshold or building inspectors.~~

~~(3) Applications for certification.~~

(a) The instructions and application form for threshold building inspectors, are contained in form DBPR AR 2, DBPR/FBOAID/TBI/04/01 is hereby incorporated by reference, effective October, 2012 5-23-04, and entitled "Application for Threshold Building Inspector Certification." a copy of which "Threshold Building Inspector Application and Instructions". Copies of form DBPR/FBOAID/TBI/04/01 may be obtained from the Board by writing to the Florida Board of Architecture and Interior Design, 1940 N. Monroe Street, Tallahassee, Florida 32399-0766 or at [http://www.myfloridalicense.com/dbpr/pro/arch/documents/AR2\\_Threshold\\_Building\\_Inspector\\_Certification.pdf](http://www.myfloridalicense.com/dbpr/pro/arch/documents/AR2_Threshold_Building_Inspector_Certification.pdf). Applicants will be required to provide the following basic information as part of the application:

1. Name;
2. Address;
3. Phone number;
4. E-mail address;
5. Florida Architect license number;
6. Educational and experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria have been met;
7. Name and address of current employer;
8. Letters of recommendation from three architects or engineers in the State of Florida, one of whom must be certified as a threshold building inspector; and
9. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings.

~~(b) Completed applications must be submitted All applications for certification as a threshold building inspector shall be submitted to the Board on form DBPR/FBOAID/TBI/04/01, referenced above, by mailing to the address listed above along with an initial certification fee of \$100.~~

~~(c) Applications shall contain the following basic information pertaining to the applicant:~~

- ~~1. Name;~~
- ~~2. Address;~~
- ~~3. Phone number;~~
- ~~4. Florida license number;~~
- ~~5. Educational and experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria has been met;~~
- ~~6. Name and address of current employer;~~
- ~~7. Letters of recommendation from three architects or engineers in the State of Florida, one of whom must be certified as a threshold building inspector;~~
- ~~8. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and~~
- ~~9. Completed form DBPR/BOAID/TBI/04/01, referenced in paragraph (3)(a) above.~~

~~(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications shall be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.~~

~~(3) (4) Roster of Threshold Building Inspectors. The Board shall maintain a roster of all Florida licensed/registered architects persons certified as threshold building inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Florida Board of Architecture~~

and Interior Design.

*Rulemaking Specific Authority 481.2055, 481.213(7), 481.225, 481.225(2) FS. Law Implemented 120.52(9), 455.213(2), 455.219(1), 481.207, 481.213(7) FS. History–New 5-23-01,*

Motion: Mr. Johnson moved that the board notice Rule 61G1-25.003, Qualification for Threshold Building Inspectors, for rule development and approve the language as amended.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Toppe moved that the proposed rule would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory cost to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule and that no statement of estimated regulatory cost need be prepared.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Johnson moved that the board approve the SERC checklist as presented.  
Second: Mr. Toppe seconded the motion and it passed unanimously.

### **Review and Approval of Meeting Minutes**

August 5, 2013 Probable Cause Panel, Orlando, Florida (ratify)

Motion: Mr. Rodriguez moved that the board ratify the August 5, 2013 Probable Cause Panel meeting minutes as presented.  
Second: Mr. Toppe seconded the motion and it passed unanimously.

August 6-7, 2013 General Business, Orlando, Florida

Motion: Mr. Costoya moved that the board approve the August 6-7, 2013 General Business meeting minutes as presented.  
Second: Mr. Toppe seconded the motion and it passed unanimously.

### **Ratification List(s)**

Licensure

Motion: Mr. Costoya moved that the licensure ratification list be approved as presented with Ms. Pegnato omitted.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

## Continuing Education

Motion: Mr. Toppe moved that the board approve the continuing education ratification list as presented.

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

## Reports

Executive Director's Report – Juanita Chastain

Financial Reports ending June 30, 2013

Ms. Chastain reviewed the reports and there were no questions.

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 – Licensed

Fines Chart – Unlicensed

Billable Hours July 2013

Billable Hours August 2013

Billable Hours September 2013

Results of August 2013 Board Meeting

Press Releases/Speaking Engagements/Other Correspondence

Mr. Minacci provided a copy of the Annual Report (hand out) and reviewed the reports in the agenda. Mr. Rodriguez thanked Mr. Minacci for his service.

## Recess

The meeting recessed at 11:50 a.m.

## **MINUTES**

**Board of Architecture and Interior Design  
Hampton Inn & Suites  
80 Beach Drive, NE  
St. Petersburg, Florida 33701  
727.892.9900**

**November 22, 2013  
9:00 a.m.**

### **General Business**

#### **Call to Order**

##### Board Members Present:

John Ehrig, Chair  
Francisco "Frank" Costoya  
Miguel Rodriguez  
Jonathan Toppe  
Aida Bao-Garciga  
Kenan Fishburne  
J. Emory Johnson  
Dylan Rivers

##### Others Present:

Juanita Chastain, Executive Director  
Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Trent Manausa  
Vicki Long, Florida AIA  
Dave Roberts, ASID  
Holly Dennis  
Sarah Colandro  
Carmen Christensen  
Michelle Early

Mr. Ehrig, Chair, called the meeting to order at 9:00 a.m. and a quorum established.

Court Reporter: Prizm Group LLC dba Berryhill Court Reporting, 501 East Kennedy Boulevard, Suite 775, Tampa, Florida 33602. Telephone: 813.229.8225.



## **Reconsider Petition for Variance or Waiver of Rule 61G1-22.002(1) and 22.001(1) Florida Administrative Code and Application Review**

Rosalinda C. Pegnato

Motion: Mr. Johnson moved that the board reconsider the petition, vacate the prior action of denial, and allow Ms. Pegnato to withdraw the petition.

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

### **Application Review**

Pamela Parsons – Interior Design Endorsement

Ms. Parson was not present or represented by counsel but provided a letter to the board. Mr. Butler, the board's consultant, reviewed Ms. Parson's application and recommended denial based on her education. After discussion the following motion was made.

Motion: Mr. Rodriguez moved that the board deny Ms. Parson's application for licensure based on the fact that she does not have the required education set forth in Chapter 481.213, Florida Statutes, and the consultant's recommendation.

Second: Mr. Johnson seconded the motion, the motion passed with Ms. Fishburne and Ms. Bao-Garciga opposed.

### **General Discussion**

NCIDQ/CIDQ Annual Meeting (Emory Johnson)

Mr. Johnson reported that there were some positive changes in leadership at NCIDQ. He provided a comparison of the passing percentages for the sections of the old and new examination as well as the number of new certificate holders for 2013.

Mr. Johnson reported that the CIDQ board discussed the difficulty in finding consumer members for appointment to the CIDQ board. Mr. Johnson provided a handout to the board regarding his presentation at the Annual Meeting and that Florida emphasis was on protecting the health, safety, and welfare of the public.

Mr. Johnson reported that the state of Nevada has created a brochure that was developed and sponsored by the Board of Architects, Interior Designers/Residential Designers, Engineers, Land Surveyors, Landscape Architects, Contractors, Fire Marshall, Public Works, and Building Officials that identifies when a consumer needs a professional for a project and what that professional can or cannot perform.

Mr. Johnson reported that the state of Texas will eliminate all licenses issued through the grandfathering provision by 2016 for the practice of interior design. The only way those licensees would be able to maintain licensure is to take and pass the NCIDQ examination.

Mr. Johnson reported that CIDQ uses the term Interior Designer/Interior Architecture in a majority of their documents. The Tennessee Board will not recognize that term and will be sending NCIDQ a letter stating same.

The board discussed the term Interior Architecture and expressed a concern that a degree in Interior Architecture may be misleading to the students graduating from that program and what licensure they will be able to obtain upon graduating.

The board discussed that the Department of Education recognizes the term Interior Architecture and that the Council for Interior Design Accreditation (CIDA) has approximately 20 programs accredited with the degree title Interior Architecture including Florida International University.

#### NCIDQ Exam Review – (Emory Johnson)

The board reviewed NCIDQ/CIDQ's response dated November 20, 2013 to Mr. Ehrig's letter dated June 24, 2013. The letter indicated that the CIDQ Board of Directors considered Florida's request and would work with the department to develop an avenue for examination reviews based on Florida's rules.

The issue regarding examination review was brought about due to the review and update of Rule 61G1-17.002(8), Florida Administrative Code.

Motion: Ms. Bao-Garciga moved that the board accept the letter as presented and request that the department work with NCIDQ/CIDQ to develop an avenue for examination reviews.

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

Mr. Johnson thanked the department and NCIDQ/CIDQ for their efforts to resolve the examination review issue.

#### NCARB IDP changes (John Ehrig)

The board discussed that the duration and eligibility requirements changed and would be effective December 16, 2013. The changes will allow an accelerated path to completing the internship program while attending architecture school.

#### NCARB Updated Mutual Recognition Agreement between NCARB and Canadian Architectural Licensing Authorities (CALA)

Mr. Ehrig reported that Canada changed their examination and internship requirements for licensure and they are no longer equivalent to the United States. At the Annual Meeting, Florida did not agree to the Mutual Recognition

Agreement between NCARB and Canada, however, 47 jurisdictions voted in favor of the agreement.

Motion: Mr. Toppe moved that the board not sign the letter of undertaking in respect to the Mutual Recognition Agreement between NCARB and Canadian Architectural Licensing Authorities (CALA) because it is not in accordance with Florida licensure requirements.

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

Mr. Rodriguez reported that he was an AIA observer on a Licensure Task Force that is reviewing the potential of licensure upon graduation. The three steps linear process could change to allow the three steps to be obtained collectively. There is a pilot that would be limited to a few schools or institutions to review the potential and benefits for this to happen in the future. After discussion the following motion was made.

Motion: Mr. Toppe moved that the Florida Board participate and support the pilot program.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

The board discussed that the architecture examination and internship program were changing. The board discussed that architecture students are tested on Architectural Registration Examination (ARE) items while in school and may not need to be retested upon graduation.

#### Construction Contract Administration (John Ehrig)

The board discussed the importance of the proposed language and the need to designate time to review and wordsmith at the January meeting. The board discussed inviting other professions and interested parties to attend the meeting to receive their input.

#### Continuing Education reciprocity between boards

The board reviewed the list of Construction Industry Licensing Board's continuing education courses to determine equivalency for credit to the board's health, safety, and welfare requirements. After discussion the following motion was made.

Motion: Mr. Toppe moved to accept business practices and worker's compensation courses as equivalent to health, safety, and welfare credit.

Second: Mr. Rodriguez seconded the motion.

Ms. Clark advised that the way the Architect Handbook reads was that the Construction Industry Licensing Board must approve the categories as health, safety, and welfare not this board. Mr. Rodriguez disagreed and commented that

this board should determine what courses are considered health, safety, and welfare for this profession not the Construction Board. After discussion the following motion was made.

Motion: Mr. Toppe moved to withdraw the motion.

Second: Mr. Rodriguez accepted the withdrawal of the motion.

No action was taken and this would be readdressed at the next meeting if needed.

## **Reports**

### Chair's Report – John Ehrig

Mr. Ehrig reported that he was not interested in continuing as Chair. He thanked the board members for their support and the board accomplished a lot during his term.

### Executive Director's Report – Juanita Chastain

Ms. Chastain reviewed the future meeting dates.

### Hyatt Regency Jacksonville Riverfront

225 East Coastline Drive

Jacksonville, Florida 32202

904.588.1234

January 15, 2014 9:00 a.m. – Probable Cause Panel Meeting

January 16-17, 2014, 9:00 a.m. – General Business Meeting

April 2-4, 2014 – Location TBD

April 2, 2014, 9:00 a.m. – Probable Cause Panel Meeting

April 3-4, 2014, 9:00 a.m. – General Business

July 14-16, 2014 – Miami, Florida

Trump National Doral Golf & Spa Resort

440 NW 87<sup>th</sup> Avenue

Miami, Florida 33178

July 14, 2014, 9:00 a.m. – Probable Cause Panel Meeting

July 15-16, 2014, 9:00 a.m. – General Business Meeting

October 22-24, 2014 – Location TBD

October 22, 2014, 9:00 a.m. – Probable Cause Panel Meeting

October 23-24, 2014, 9:00 a.m. – General Business Meeting

### AIA Report – Vicki Long

Ms. Long reported on the repositioning of the board with AIA National as well as Florida.

Ms. Long reported that they have been working with the Governor's Appointments Office and the board should receive notification early December on appointments.

Mr. Long reported that Florida Atlantic University received a \$25,000 award from NCARB for an interdisciplinary collaboration on prototyping for responsive kinetic design.

Ms. Long reported that AIA Florida was part of an eight state consortium and Texas voiced a concern regarding the path to and length of time to obtain architect licensure. A green white paper was developed and AIA Florida had concerns with items contained in the paper. The paper is available on their web site. Ms. Long reported that she would advise the board as the matter progressed.

Ms. Long suggested that the board invite the Builders' Associations to the January meeting to participate in the Construction Contract Administration (CCA) discussion. AIA Florida would not put forth the CCA language in the 2014 Legislative Session.

IDAF – Doug Feldman  
No report.

ASID – Dave Roberts  
Mr. Roberts introduced Holly Dennis, Sarah Colandro, and Carmen Christensen from the ASID West Florida Chapter. ASID will be holding an Annual Legislative Spring Symposium in Miami.

Mr. Roberts reported that ASID was more involved with the Affordable Care Act based on a provision in the act that requires hospitals to perform retro-fittings and redesign to make them more functional for patients. There will be a discussion on codes at the Federal level as well.

Mr. Roberts suggested that the board invite the Construction Coalition, Building Officials, etc. to be involved in the January CCA discussion item.

## **Elections**

Motion: Mr. Toppe nominated Mr. Rodriguez as Board Chair.  
Second: Mr. Johnson seconded the motion.

Motion: Mr. Toppe made a motion to close the nominations.

Second: Mr. Costoya seconded the motion and it passed unanimously.  
Motion: Mr. Johnson nominated Mr. Toppe as Vice-Chair.  
Second: Mr. Costoya seconded the motion.

Motion: Mr. Johnson made a motion to close the nominations.  
Second: Mr. Rodriguez seconded the motion and it passed unanimously.

The board members thanked Mr. Ehrig for his service as Board Chair.

### **New Business**

No new business.

### **Old Business**

No old business.

### **Adjourn**

Motion: Mr. Johnson moved that the meeting adjourn at 12:20 p.m.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.