

MINUTES

Board of Architecture and Interior Design Telephone Conference Call

November 30, 2016
2:00 p.m. Eastern Time

General Business

Toll Free (888) 670-3525 - conference pass code 6715298664 then #

Mr. Toppe, Chair, called the meeting to order at 2:05 p.m. and quorum was established.

Board Members Present:

John Ehrig
Miguel Rodriguez
Francisco Costoya
Jonathan Toppe
Hector Fernandez
Holly Dennis
Aida Bao-Garciga
James Blanz
Ivette O'Doski

Board Members Absent:

Dylan Rivers, excused
Kenan Fishburne, excused

Others Present:

Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Krista Woodard, Executive Director
Thomas Campbell
Emilio Agrenot
Edwin Bayo
Other interested parties

Court Reporter: For the Record Reporting, 1500 Mahan Drive, Suite 140,
Tallahassee, Florida 32317. Telephone 850.222.5491. Email
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Disciplinary Case

Motion to Vacate Final Order

DBPR vs. Emilio Jose Agrenot

Case Number 2014-008444

PCP: Hall, Shore, Costoya, Rodriguez, and Rivers

Mr. Agrenot was present and sworn in by Notary-Ellia E. Perez, ID # FF 204842 and was represented by Edwin Bayo. Mr. Rodriguez and Mr. Costoya were recused from review of the case based their participation on the Probable Cause Panel.

Mr. Toppe provided a brief overview of the agenda materials regarding the case.

On January 30, 2014 probable cause was found to issue a two count administrative complaint against Mr. Agrenot for misconduct and failing to fulfill a legal obligation based on consumer harm. Mr. Agrenot entered a settlement stipulation to repay the complainant \$7,523.00, pay a \$1,000.00 fine, and pay costs of \$1,255.00. Mr. Agrenot made one payment of \$375.00 towards the settlement stipulation. A second case was opened for failing to comply with the final order and an additional complaint was received by a consumer alleging consumer harm. The additional case went to the Division of Administrative Hearings and the Administrative Law Judge relinquished jurisdiction to the board based on Mr. Agrenot failing to respond to discovery. On March 1, 2016 the board entered a final order revoking Mr. Agrenot's license.

Mr. Bayo presented that the board has the ability to reopen the case based on the respondent not receiving the hearing notice. Mr. Agrenot represents that he did not receive the hearing notice based on family and personal medical reasons. Mr. Bayo presented to the board he has the money in his trust account to repay both complainants and comply with the final order.

Mr. Bayo requested that the board reinstate Mr. Agrenot's license and advised that he would disperse funds to whomever the board directed.

The board discussed that Mr. Agrenot was encourage at the November 17, 2016 meeting to pay restitution to the complainants prior to the telephone conference call. The complainants have not been paid.

Mr. Agrenot is an employee of the City of Hialeah and works as a plans examiner.

Ms. Clark advised that final orders are final 30 days after the date of entry. Ms. Clark reviewed the history of Mr. Agrenot's participation with the disciplinary case, Division of Administrative Hearings, and that the board had the correct address of record.

Mr. Bayo requested that that board reinstate Mr. Agrenot's license based on the totality of the circumstances; that Mr. Agrenot testified that he did not receive the

hearing notice, that his wife has been ill and is dependent on Mr. Agrenot's health insurance through employment with the City of Hialeah, that Mr. Agrenot cashed in his retirement to pay the restitution and settlement stipulation, and that the board could impose practice restrictions on his reinstated license.

After discussion the board took no action.

New Business

No new business.

Old Business

No old business.

Adjourn

Motion: Mr. Ehrig moved that the meeting adjourn.

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

The meeting adjourned at 2:35 p.m.