

# FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Hilton St. Petersburg Bayfront  
333 1<sup>st</sup> St. S  
St. Petersburg, FL 33701  
727.894.5000

May 11, 12-14, 2021  
MEETING MINUTES

Approved August 13, 2021

## **Board Members Present**

Rachelle Wood, Chair  
Michael Strickland, Vice-Chair  
Frank Cawthon  
Donald Cesarone  
Brian Donovan  
Mario Famada  
Ted Feaster  
Edgar Laney  
Edward McCullers

## **Board Members Absent**

Aaron Boyette (partial)  
William Cathey  
Rick Kane  
Keith Lawson  
Robert Maphis

## **Others Present**

Dan Biggins, Executive Director, DBPR  
Donald Shaw, Senior Management Analyst Supervisor, DBPR  
Jordan Jones, Government Analyst, DBPR  
Ian Brown, Chief Construction Attorney, DBPR  
Sally Raines, Deputy Chief Construction Attorney, DBPR  
Goliath Davis, Prosecuting Attorney, DBPR  
Robert Milne, Assistant Attorney General, AGO  
Christopher Dierlam, Assistant Attorney General, AGO

**ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION II**

**Division II Board members met for Additional Business Entities Review on May 12<sup>th</sup>, 2021 from 2:01 – 2:58pm. Mr. McCullers led the meeting. Of the 21 applications on the agenda, 8 were approved, 3 were approved contingent, 5 was continued, 1 was pulled, 2 were withdrawn and 2 were denied.**

**APPROVED (8)**

Allocco, Andrew  
Allocco, Andrew  
Allocco, Andrew  
Chapman, Donald  
Hidy, Jason  
McLemore, Charles  
Rodriguez Bosch, Carlos  
Salch, Kenneth

**APPROVED CONTINGENT (3)**

Frishman, Jordan  
Judy, Dale  
Mendes, Jose

**CONTINUED (5)**

Castrillon, Carolina – 60 day continuance  
Diaz, David – 30 day continuance  
Garcia, Abiel – 60 day continuance  
LaCerte, Claude – 30 day continuance  
Snell, Clifford – 60 day continuance

**PULLED (1)**

Rupert, Jerry

**WITHDRAWN (2)**

Campbell, Ferrin  
Kozel, Jaroslav

**DENIED (2)**

Carlos, Eduardo  
Martinez, Jorge

**APPLICATION REVIEW DIVISION II**

**Division II Board members met for Application Review on May 12<sup>th</sup>, 2021 from 3:08 – 3:49pm. Mr. Famada led the meeting. Of the 17 applications on the agenda, 8 were approved, 1 were approved contingent, 2 were continued, 1 was pulled, 1 was withdrawn and 4 were denied.**

**APPROVED (8)**

Collins, Robert  
Furman, Jason

Gardner, Richard – subject to probation requirements  
LaCoste, Lucindy – downgraded to class B  
Nash, Ryan  
Ricco, Mark  
Stinton, Jacob  
White, Jerald

APPROVED CONTINGENT (1)

Cantoni, David

CONTIINUED (2)

Faircloth, William  
Jackson, John

PULLED (1)

Isaac, Elias

Withdrawn (1)

Bayona, Frady

DENIED (4)

Abraham, Stephanie  
Churchman, Guy  
Cruz Salazar, Reinilder  
Matassini Nunez, Bruno

**ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I**

**Division I Board members met for Additional Business Entities Review on May 13<sup>th</sup>, 2021 from 1:30 – 2:29pm. Mr. Cawthon led the meeting. Of the 41 applications on the agenda, 19 were approved, 4 were approved contingent, 2 were denied, 13 were continued, 2 were pulled and 1 was withdrawn**

APPROVED (19)

Allocco, Andrew  
Babazadeh, Mojtaba  
Baldi, Peter  
Cohen, Yaniv  
Dunbar, Lionel  
Duncan, Donald  
Fritz, Michael  
Huerta, Ender  
Mahoney, Joseph  
Martin, Jeffrey  
Ogden, Robert  
Rezvani, Farhood  
Rivera, David

Rock, Jesse  
Salusso, Sergio  
Shuler, Brandon  
Torres, Eduardo  
Turner, Michael  
Ward, Kieran

APPROVED CONTINGENT (4)

Droque, Kenneth  
Lopez, Luis  
Mills, Christopher  
Wilson, Willie

DENIED (2)

Kellogg, Phillip  
Tao, Duy

CONTINUED (13)

Bentley, Glenroy – 30 day continuance  
Berman, Scott – 90 day continuance  
Davalos, Julio – 30 day continuance  
Donovan, Robert – 30 day continuance  
Downs, James – 30 day continuance  
Espinoza, Richard – 30 day continuance  
Espinoza, Richard – 30 day continuance  
Felix, Diago – 30 day continuance  
Gomez, Gloria – 30 day continuance  
Hoyos, Oscar – 90 day continuance  
Leto, James – 60 day continuance  
Magnin, Andrew – 30 day continuance  
Vilchez, Oscar – 30 day continuance

PULLED (2)

Miles, Ronald  
Palenzuela, Carlos

WITHDRAWN (1)

Allsbrook, Michael

**APPLICATION REVIEW DIVISION I**

**Division I Board members met for Application Review on May 13<sup>th</sup>, 2021 from 3:00 – 3:48pm. Mr. Cawthon led the meeting. Of the 22 applications on the agenda, 7 were approved, 4 were continued, 4 were denied, 2 were withdrawn and 5 were pulled.**

APPROVED (7)

Colasuonno, Dominick  
Geer, Tyler – downgraded to CBC  
Hoffman, Joseph  
Linehan, Charles  
MacNeil, Kevin – downgrade to CRC  
McKee, John  
Morrison, Paul

CONTINUED (4)

Ard, Brandon – 60 day continuance  
Balok, Damion – 180 day continuance  
Rivers, Todd – 60 day continuance  
Smith, Steven – 30 day continuance

DENIED (4)

Fisher, Chris  
Marasco, Anthony  
Nikitin, Valeria  
Peck, Michael

Withdrawn (2)

Bane, Russell  
Heilbroun, Andrew

PULLED (5)

Bowerman, James  
Grinberg, Benjamin  
Meives, Paul  
Trapanese, Jeffrey  
Vanek, Brian

**Division II Board members met for Final Action on May 13<sup>th</sup>, 2021 from 9:21 – 9:25am. Ms. Wood led the meeting.**

**Case #(s): 2020027347, 2020027935**

**Etienne, Cadet**

License #(s): CAC1818036, CAC1819374

Pay administrative fines in the amount of \$3,750 and costs of \$211.69

Probation for 2 years

7 hours of continuing education related to Ch. 489, F.S.

Not present/Counsel present

**Case #(s): 2018017560**

**Oestreich, Phillip Edward**

License #(s): CPC1458205, CPC1457717

Restitution

Pay administrative fines in the amount of \$7,500 and costs of \$351.44

Probation for 2 years  
7 hours of live or online continuing education related to Ch. 489, F.S.  
Not present

**Division I & II Board members met for Final Action on May 13<sup>th</sup>, 2021 from 9:31 – 9:45am.  
Mrs. Wood and Mr. Strickland led this meeting.**

**Case #(s): 2019046857, 2019054403, 2019048189, 2019050672, 2019051903**

**Baudendistel, Joseph**

License #(s): CGC1510533, CGC1526691, CFC1430077, CFC1428560, CCC1331627,  
CCC1327432

30 day continuance

Pay administrative fines in the amount of \$5,000 and costs of \$500

Probation for 2 years

7 hours of continuing education related to Ch. 489, F.S.

Present with Counsel

**Case #(s): 2018045653**

**Dixon, Andrew**

License #(s): CBC58235, CCC56706

Pay administrative fines in the amount of \$3,500 and costs of \$180.88

Not present/Counsel present

**Case #(s): 2020006288**

**Fischer, Fred**

License #(s): FRO9231

Revocation

Restitution

Pay administrative fines in the amount of \$5,000 and costs of \$195.47

Not present

**Case #(s): 2020006296**

**Fischer, Fred**

License #(s): FRO9231

Revocation

Restitution

Pay administrative fines in the amount of \$5,000 and costs of \$191.76

Not present

**Case #(s): 2020025793**

**Fischer, Fred**

License #(s): FRO9231

Revocation

Restitution

Pay administrative fines in the amount of \$5,000 and costs of \$258.03

Not present

**Case #(s): 2018037841**

**Ruggiano, Anthony**

License #(s): CGC1510808, CCC1330909

Previously revoked January 2021

Pay administrative fines in the amount of \$6,000 and costs of \$328.05

Probation for 2 years

7 hours of continuing education related to Ch. 489, F.S.

Present with counsel

**Division I Board members met for Final Action on May 13<sup>th</sup>, 2021, from 10:00 – 10:01am.  
Mr. Strickland led the meeting.**

**Case #(s): 2019039868**

**Figueroa, Francisco**

License #(s): CGC1514326, CGC1525605

Pulled

**Case #(s): 2020018087**

**Forero, Manuel**

License #(s): CGC1518807

Pay administrative fines in the amount of \$5,000 and costs of \$177.51

7 hours of continuing education related to Ch. 489, F.S.

Not present

**Case #(s): 2020024328**

**Garza, Gerardo**

License #(s): CRC1330551

Revocation

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$583.81

Not present

**Case #(s): 2019023857**

**Masias, Alexander**

License #(s): CBC1251894

Revocation

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$201.73

Not Present

**Case #(s): 2019023905**

**Masias, Alexander**

License #(s): CBC1251894

Revocation

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$210.51

Not present

**Case #(s): 2018042326**

**Smith, Jeffrey**

License #(s): CGC1515949

Null & Void

Pay administrative fines in the amount of \$20,500 and costs of \$208.19

Not Present

**Case #(s): 2018025045**

**Smith, Jeffrey**

License #(s): CGC1515949

Null & Void

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$61.25

Not present

**Division II Board members convened for Probation on May 13<sup>th</sup>, 2021, from 8:30 – 9:05am.  
Mr. Cesarone led the meeting.**

**PROBATION**

**Deekman, Dan Felix**, CCC1328830 / CCC1331517

Appearance 1 of 4

Result: Satisfactory

**Diaz, Francisco Fernando**, CAC50345 / CAC1818792 (inactive)

Appearance 1 of 4

Result: 90 day continuance

**Fred, Ruben**, CCC1329414 / CPC1457855

Appearance 1 of 8

Result: Satisfactory

**Harvey, Brian Paul**, CMC1249346

Appearance 1 of 16

Result: 90 day continuance

**Lambeth, Patrick Jasper**, CMC42546 / CFC1427619

Appearance 3 of 4

Result: Satisfactory

**Phillips, Steven**, CAC57788

Appearance 3 of 4

Result: Satisfactory

**Starkes, Darryl**, CCC1330074

Appearance 3 of 4

Result: Satisfactory



**Tellez, Lexter**, CFC1429335  
Appearance 4 of 4  
Result: Satisfactory

**Turpin, Isaac John**, CFC1428965  
Appearance 1 of 4  
Result: Satisfactory

**Division I Board members convened for Probation on May 13<sup>th</sup>, 2021, from 10:30 – 10:30am. Mr. Donovan led the meeting.**

### **PROBATION**

**Chatman, Mario Lacount**, CGC1414617  
Appearance 1 of 4  
Result: 60 day continuance

**Lambeth, Patrick**, CGC1506447  
Appearance 3 of 4  
Result: Satisfactory – contingent on insurance in 30 days

### **REINSTATE PROBATION**

**Vande Brink, Eric, CBC1251861**  
Stay lifted oat October 2019 CILB meeting for failure to submit packet

### **EARLY TERMINATION**

**Berman, Scott, CGC1509450**  
3 of 4 appearances – no prior continuances / no stays lifted / no unsatisfactory results

### **GENERAL SESSION**

The meeting was called to order by Ms. Wood, at 8:34am. Mr. Donovan gave the Invocation. Mr. Cesarone led the Pledge of Allegiance.

### **EXECUTIVE DIRECTOR'S REPORT- Daniel Biggins**

Mr. Biggins requested the Board excuse absences for the following board members:

- Mr. Boyette (partial)
- Mr. Cathey
- Mr. Kane
- Mr. Lawson
- Mr. Maphis

Mr. Biggins allowed Mr. Bruce Kershner to provide an update to the Board on legislation affecting the industry. Mr. Biggins also let Mr. Dallas Thiesen of the Florida Swimming Pool Association provide the Board with an update on legislation affecting the pool industry.

With nothing further to report the Board voted unanimously to approve this report.

**CHAIRMAN’S REPORT- Ms. Wood**

Ms. Wood had nothing to report.

**PROSECUTING ATTORNEY’S REPORT- Ian Brown**

Mr. Brown had nothing to report.

**HEARING AND PETITIONS**

**ALONSO-RODRIGUEZ, GENARO – INFORMATION HEARING**

Mr. Alonso-Rodriguez was present.

Mr. Milne presented this case stating Mr. Alonso-Rodriguez’ application for a Class B Certified Air Conditioning Contractor’s license was denied at the February 2021 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in March of 2021. Mr. Alonso-Rodriguez timely requested an informal hearing.

After further discussion, the Board voted to vacate the previous denial and to approve the application.

**CAMPBELL, RICHARD – INFORMAL HEARING**

Mr. Campbell was not present.

Mr. Milne presented this case stating Mr. Campbell’s application for a Certified Residential Pool/Spa Contractor’s license was denied at the March 2021 meeting of the Board for failure to demonstrate the required experience, pursuant to section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in April of 2021. Mr. Campbell timely requested an informal hearing.

After discussion, the Board voted to uphold the previous denial.

**CITY OF PALM BAY – PETITION FOR DECLARATORY STATEMENT**

Two representatives from the petitioner were present.

Mr. Milne presented this case stating The City of Palm Bay filed a petition for a declaratory statement on April 6, 2021. The petition was noticed in the Florida Administrative Register on April 12, 2021. Mr. Milne noted the petitioner requested an answer to the question of whether or not a playground equipment supplier can enter into a contract for the furnishing and installation

of equipment on public property when they intend to subcontract the installation to licensed certified general or building contractor, despite the playground equipment supplier not being licensed themselves.

After further discussion, the Board found that the petitioner had standing but declined to answer the petition.

#### **HUGO DOMLOJ – PETITION FOR VARIANCE AND WAIVER**

Mr. Domloj was not present.

Mr. Milne presented this case stating Mr Domloj filed a petition for variance and waiver on January 5, 2021. The petition was noticed in the Florida Administrative Register on March 24, 2021. Mr. Milne noted the petitioner is seeking a variance or waiver of Rule 61G4-16.005, Florida Administrative Code, that states for the purpose of certification a passing grade on the examination shall be valid only for a period of four (4) years from the date of the most recently passed portion of the exam.

After further discussion, the Board voted to deny the petition.

#### **JOHN, EMERSON – INFORMAL HEARING**

Mr. John was present.

Mr. Milne presented this case stating Mr. John's application for a Certified Pollutant Storage Contractor's license was denied at the January 2021 meeting of the Board for failure to demonstrate the required experience, pursuant to Section 489.111, Florida Statutes, and Rule 61G4-15.001, Florida Administrative Code. The Notice of Intent to Deny was filed in February of 2021. Mr. John timely requested an informal hearing.

After further discussion, the Board voted to vacate the previous denial and to approve the application.

#### **MANNING, WILLIAM – PETITION TO MODIFY FINAL ORDER**

Continued 30 days.

#### **MUNILLA, PEDRO – INFORMAL HEARING**

Mr. Munilla was present.

Mr. Milne presented this case stating Mr. Munilla's application to qualify Strongcore Group, LLC as an additional business entity was denied at the February 2021 meeting of the Board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code, and for failure to demonstrate the qualifying agent would have the ability to supervise the construction work

and business activities of the organization, as required by section 489.119, Florida Statutes. The Notice of Intent to Deny was filed in March of 2021. Mr. Munilla timely requested an informal hearing.

After discussion, the Board voted to vacate the previous denial and to approve the application contingent on the applicant providing proof of W2 employment with the proposed business entity and proof of completion of 7 hours of live continuing education specifically related to Financial Management, within 90 days.

#### **VINCENT PRINCE – INFORMAL HEARING**

Continued 30 days.

#### **WINDHAM, MICHAEL – INFORMAL HEARING**

Continued 30 days.

#### **WISEMAN, WHITNEY – PETITION FOR VARIANCE AND WAIVER**

Mr. Wiseman was present.

Mr. Milne presented this case stating Mr. Wiseman filed a petition for variance and waiver on April 7, 2021. The petition was noticed in the Florida Administrative Register on April 29, 2021. Mr. Milne noted the petitioner is seeking a variance or waiver of Rule 61G4-16.005, Florida Administrative Code, that states for the purpose of certification a passing grade on the examination shall be valid only for a period of four (4) years from the date of the most recently passed portion of the exam.

After further discussion, the Board voted to deny the petition.

#### **ZOUMAS, NICHOLAS – INFORMAL HEARING**

Mr. Zoumas was present.

Mr. Milne presented this case stating that Mr. Zoumas' application for a Certified General Contractor's license via endorsement was denied at the February 2021 meeting of the Board for failure to meet the requirements set forth in section 489.115 (3)(b), Florida Statutes. The Notice of Intent to Deny was filed in April of 2021. Mr. Zoumas timely requested an informal hearing.

After further discussion, the Board voted to vacate the previous denial and to approve the application as a downgrade to a Certified Building Contractor's license.

#### **RULES/PUBLIC/LEGISLATIVE – May 2021 Rules Report**

61G4-12.0171 Reinstatement of Null & Void Certification or Registration

- Date sent to OFARR: 09/21/19(RD), 12/18/19(RN)
- Rule Development Published: 10/03/19 (Vol. 45/193)
- Notice Published: 01/07/20 (Vol. 46/05), 01/15/20 (JAPC Corresp.), 02/05/20 (JAPC Response), 04/06/20 (Tolled)

#### 61G4-21.002 Definitions

- Date Rule Language Approved by Board:08/14/20
- Date sent to OFARR: 09/15/20 (RD)
- Rule Development Published: 09/23/20 (Vol. 46/No.186)
- Notice Published 02/01/2021 (Vol. 47/20)
- JAPC Letter 02/05/2021
- Adopted: 04/14/2021 (tentative)
- Effective 05/05/2021 (tentative)

#### 61G4-21.003 Filing Claims

- Date Rule Language Approved by Board:08/14/20
- Date sent to OFARR: 09/15/20 (RD)
- Rule Development Published: 09/23/20 (Vol. 46/No.186)
- Notice Published 02/01/2021 (Vol. 47/20)
- JAPC Letter 02/05/2021
- Adopted: 04/14/2021 (tentative)
- Effective 05/05/2021 (tentative)

#### 61G4ER20-6 Approval of Continuing Education Courses

- Date Rule Language Approved by Board: 06/12/20
- Date sent to OFARR: 06/17/20
- Rule Development Published: N/A
- Notice Published: 06/18/20 (Vol. 46/No.119)
- Adopted: N/A
- Effective: 06/17/20

### **COMMITTEE REPORTS**

#### **EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Ted Feaster**

Mr. Feaster gave the following report:

#### **CORDOBA AND ASSOCIATES, INC**

1<sup>st</sup> course: Financial Responsibility for Contractors: **approved**

#### **FLORIDA HOME BUILDERS ASSOCIATION**

1<sup>st</sup> course: Building Science of Floor Systems: **approval**

2<sup>nd</sup> course: Building Science of Floor Systems (classroom): **approved**

3<sup>rd</sup> course: High Performing Resilient Wood Framed Roofs: **approved**

4<sup>th</sup> course: High Performing Resilient Wood Framed Roofs (classroom): **approved**  
5<sup>th</sup> course: Magnesium Oxide (MgO) Floor Panels for Multifamily Buildings: **approved**  
6<sup>th</sup> course: Magnesium Oxide (MgO) Floor Panels for Multifamily Buildings (classroom): **approved**  
7<sup>th</sup> course: Managing Condensation and Thermal Performance with Continuous Insulation: **approved**  
8<sup>th</sup> course: Managing Condensation and Thermal Performance with Continuous Insulation (classroom): **approved**

#### **GULFSHORE INSURANCE, INC**

1<sup>st</sup> course: OSHA 10 Hour: **contingent approval**

#### **HEALTH CHOICE ENTERPRISES, LLC**

1<sup>st</sup> course: Medical Gas Systems Maintenance Personnel (6040): **approved**

#### **MIKE HOLT ENTERPRISES**

1<sup>st</sup> course: 2020 NEC Review with Updates Live Seminar: **denied**  
2<sup>nd</sup> course: Business Management & Finance Live Seminar: **denied**  
3<sup>rd</sup> course: FL Current Rules, Laws, & Statues Online: **denied**  
4<sup>th</sup> course: Florida Combined 4-hour Business, Safety, Workers Comp and Rules: **denied**

#### **PINCH A PENNY**

1<sup>st</sup> course: Pool Stains: **approved**  
2<sup>nd</sup> course: Spa Chemicals: **approved**  
3<sup>rd</sup> course: Workers' Compensation: **approved**  
4<sup>th</sup> course: Workplace Safety: **approved**

#### **REDVECTOR.COM, INC**

1<sup>st</sup> course: Transmission and Distribution: Care & Testing of Tools/Equipment: **denied**

#### **RECOVERY FUND COMMITTEE - DON CESARONE**

Mr. Cesarone gave the following report:

Larson v Paramo – Claim No. 2019-009034: **30 day continuance**  
Fine v Rubin – Claim No. 2020-046697: **\$15,000**  
Bidwell v Stapp – Claim No. 2020-033197: **\$50,000**  
Morgan/Neumeyer v Jones – Claim No. 2019-055665: **\$50,000**  
Leluiika v Campbello De Londo – Claim No. 2020-032579: **\$15,000**  
Chalut v Campbell – Claim No. 2021-009885: **\$15,000**  
Albert v Rubio – Claim No. 2019-048284: **\$10,739.41**  
Kaczmaric v Harrison – Claim No. 2020-040135: **\$19,816**  
McCormick v Brennan – Claim No. 2020-014927: **15,000**  
Cincotti v Marth – Claim No. 2020-016516: **8,000**  
Costa v Reardon – Claim No. 2020-043493: **14,746.78**  
Kuettner v Dutruch – Claim No. 2020-013049: **12,449**  
Smolarcik v Long – Claim No. 2021-009436: **18,300**

Brookens v Rubio – Claim No. 2020-008766: **award reduced to \$2,464.02**  
Abramson v Lauria – Claim No. 2020-039733: **Motion to Reconsider Denied**  
Bodiford v Wilcox – Claim No. 2018-038770: **Motion to Reconsider – 60 day continuance**

## **OLD BUSINESS**

Removal of Board materials from laptops.

## **NEW BUSINESS**

The Board discussed the possibility of increasing the single claim cap limit for Division II recovery fund claims and requested the Department explore options to have that limit increased.

With no further business the meeting was adjourned at 10:30am.