FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Embassy Suites Deerfield Beach 950 S. Ocean Drive Deerfield Beach, FL 33441 954.426.0478

June 7, 8-10, 2016

MEETING MINUTES
Approved August 12, 2016

Board Members Present

Brian Cathey
Christopher Cobb, Vice Chair
James Evetts, Chair
Richard Kane
Albert Korelishn
Keith Lawson II
Roy Lenois
Robert Moody
William Sheehan
Michael Strickland
Scott Thomason
Jacqueline Watts
Rachelle Wood

Board Members Absent

Hector Castro Andrew Allocco Aaron Boyette Jason Wolf

Others Present

Dan Biggins, Executive Director, DBPR
Amanda Wynn, Senior Management Analyst Supervisor, DBPR
Brian Lynch, Regulatory Consultant, DBPR
Douglas Dolan, Legal Advisor, AGO
Ian Brown, Prosecuting Attorney, DBPR
Daniel Brackett, Assistant Attorney, DBPR
Lee Page, Assistant Attorney, DBPR

ADDITIONAL BUSINESS ENTITIES REVIEW

Division II Board members met for Additional Business Entities Review on June 8, 2016 from 2:01 – 3:30pm. Mr. Lawson led the meeting. Of the 18 applications on the agenda, 10 were approved, 1 was approved contingent, 5 were denied and 2 were pulled.

APPROVED (10)

Adderly, Todd R.
Cornell, Douglas G.
Criscuolo, John P.
Dominguez, Albert A.
Hall, James D.
Hogoboom, Faye A.
Mirabal, Segundo R.
Nightingale, Brian J.
Smith, Steve H.
Spencer, Roderick J.

CONTINGENT (1)

Ward, Hugh E.

DENIED (5)

Butler, Brandon T. Emrich, Robbie N. Marlowe, James E. Marlowe, James E. Richardson Jr., Henry A.

PULLED (2)

Braughton, Jason L. Ondarza, Alejandro J.

Division I Board members met for Additional Business Entities Review on June 9, 2016, from 1:32 – 3:31pm. Mr. Boyette led the meeting. Of the 44 applications on the agenda, 22 were approved, 11 were approved contingent, 8 were continued, 5 were denied,1 was pulled, and 3 were withdrawn.

APPROVED (22)

Adderly, Todd R.
Blank, Jeremy C.
Capraro Jr., Paul C.
Carlton, Lonny R.
Chipman, Derek R.
Culp, William S.
Dolis, Slav
Dotson, Roland D.
Extejt, Zachary
Green, Kenneth
Hall, Steven N.

Hemingway, Thomas P. Iglesias, Yordes Lopez-Recio, Orestes L. Morey, Peter A. Porro, Luis F. Rathbun, Terry J. Saccareccia, Mitchell L. Wagner, Jennifer L. Walton, Stephanie M. Waters, Thomas D. Woodward, Ronald R.

CONTINGENT (5)

Bessette, Mark A Graeve, Raymond J. Jaar, Michael R Jester, Lawrence D. Meeker, Michael J.

CONTINUED (8)

Chambers, Michael A.- 60 day continuance Clobridge, Michael E.- 60 day continuance Collazos, Homero A.- 30 day continuance Cooper, Michael P.- 30 day continuance Korman, Jonathan S.- 120 day continuance Malut, Ramachandran K.- 120 day continuance Perun Jr., Michael- 150 day continuance Soash, Curtis J.- 60 day continuance

DENIED (5)

Ares, Gilfredo M. Crews, Kimberly E. Garcia, Jose M. Johnston, Billy E. Smith, Jackson E.

PULLED (1)

Ondarza, Alejandro J.

WITHDRAWN (3)

Hasley Sr., Steven J. Newman, Kenneth Richardson Jr., Henry A.

APPLICATION REVIEW

Division II Board members met for Application Review on June 8, 2016, from 3:43 – 4:45pm. Ms. Watts led the meeting. Of the 30 applications on the agenda, 14 were approved, 3 were continued, 5 were denied, 4 were withdrawn and 4 were pulled.

APPROVED (14)

Ares, Michael

Black, Jonathon C.

Bowling, Clayton J.

Burton, David L.- downgrade to residential servicing specialty license

Imbres Sr., John S.

Johnson, Todd D.

McDonald, Alexis E.

Poulton, Keith W.

Riley, Jonas C.

Robinson, Cheryl K.

Rodgers Jr., Joseph A.

Thome, Christopher C.

Weinberg, Bobby J.

Wesley, Warren I.

CONTINUED (3)

Alfonso, Abel- continuance until January 2017 Johnson, William C.- 30 day continuance

Reyes Sanchez, Zoraida M.- 30 day continuance

DENIED (5)

Albino, Edgar

Bason, Christopher M.

Davis, Matthew L.

Gomez, Regina E.

Lyssenko, Ilia V.

WITHDRAWN (4)

Dickson, Tiffany D.

Drouillard, Russell

Garcia Massimo, Victoria

Green, Catherine C.

PULLED (4)

Garner, Keith T.

Puhl, Paul J.

Sansom, James L.

Sansom, James L.

Division II voted unanimously to ratify the list of financially responsible officer approvals.

Division I Board members met for Application Review on June 9, 2016, from 3:46–6:04pm. Mr. Evetts led the meeting. Of the 33 applications on the agenda, 14 were approved, 10 were continued, 8 were denied, and 1 was withdrawn.

APPROVED (14)

Burford, Lee T.

Campanelli, Alphonse P.

Celske, Lee A.

Guy, Jason M.
Klibert, Bryan J.
Lambright, Jonathan P.- CRC
Morey, Casey P.
Overall, Devon T.
Podojil, Paul F.
Sincere, Steven M.
Swidler, Michael C.
Tate Jr., Mark A.
Taylor, Gay W.
Whitten, William R.

CONTINUED (10)

Blanton Jr., Larry C.- 90 day continuance
Decelles, Eric N.- 90 day continuance
Guettler, Gregory A. – 60 day continuance
Johnson, William C. -30 day continuance
Mobley III, Raymond- 60 day continuance
Norwood, Tyler C.- 30 day continuance
Ouellette, Kevin D.- 90 day continuance
Reyes Sanchez, Zoraida M.- 30 day continuance
Rodriguez, Jaime- 30 day continuance
Vazquez, Arlyn- 90 day continuance

DENIED (8)

Alvarez, Santiago Garousi, Aria F. Harris, Ward A. Johnson, Steven W. Le, Joseph P. Owen, Dustin M. Roe, Shane P. Sanclemente, Leonardo C.

WITHDRAWN (1)

Rodrigues, Joseph M.

Division I voted unanimously to ratify the list of financially responsible officer approvals.

Division I Board members met for Final Action on June 9, 2016, from 8:31am— 9:23am. Mr. Evetts led the meeting.

Case #(s): 2015006418
Jeffrey Robert Cassidy
License #(s): CGC1521917
987 Wayson Way
Davidsonville, Maryland 21035
PULLED
Not Present

Case #(s): 2015023749 Jeffrey Robert Cassidy

License #(s): CGC1521917

987 Wayson Way

Davidsonville, Maryland 21035

PULLED Not Present

Case #(s): 2015032821 Michael R. Corey

License #(s): CGC1512976

P.O. Box 212785

Royal Palm Beach, FL 33421

Revocation

Pay administrative fines in the amount of \$5,000 and costs of \$268.17

Not Present

Case #(s): 2015030889 Michael R. Corey

License #(s): CGC1512976

P.O. Box 212785

Royal Palm Beach, FL 33421

Revocation

Pay administrative fines in the amount of \$5,000 and costs of \$215.82

Not Present

Case #(s): 2015034546 Michael R. Corey

License #(s): CGC1512976

P.O. Box 212785

Royal Palm Beach, FL 33421

Revocation

Pay administrative fines in the amount of \$5,000 and costs of \$192.42

Not Present

Case #(s): 2015018126
Beatriz S. Dominguez
License #(s): CGC60534
671 NW 127th Path
Miami, FL 33182
PULLED
Not Present

Case #(s): 2015009113

David E. Eiriz

License #(s): CGC1516006

669 SW 168 Way

Pembroke Pines, FL 33327

Revocation

Pay administrative fines in the amount of \$25,000 and costs of \$1,114.68 Not Present

Case #(s): 2015027169 Jon Christian Hanks

License #(s): CBC059907

10 Seahorse Lane Vero Beach, FL 32960

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$2,400 and costs of \$489.75

Not Present

Case #(s): 2015037533
Patrick Joseph Licata

License #(s): CBC1258548 4483 Palo Verde Drive Boynton Beach, FL 33436 Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$3,800 and costs of \$157.27

Present w/ Counsel

Case #(s): 2014023428 Felipe Alberto Rodriguez, Jr.

License #(s): CGC152797 13706 SW 145th Court Miami, FL 33186

Probation for 4 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$5,000 and costs of \$70.63

Present w/ Counsel

Case #(s): 2015033561 Bryan P. Runyon

License #(s): CBC1251663 1540 Southwest 5th Ave. #103

Ocala, FL 34471 Revocation

Pay administrative fines in the amount of \$10,000 and costs of \$162.92

Not Present

Case #(s): 2014036590, 2015002459

Bruce K. Rynearson, Jr. License #(s): CGC132912

5025 Mortier Ave. Orlando, FL 32812

Restitution in the amount of \$3,545 & \$1,860

Probation for 4 years

14 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Department of Business & Professional Regulation Construction Industry Licensing Board Meeting Minutes June 2016 Page 7 of 15 Pay administrative fines in the amount of \$15,000 and costs of \$1,074.56 Not Present

Division I & II Board members met for Final Action on June 9, 2016, from 9:23am-10:18am. Mr. Evetts and Mr. Cobb led the meeting.

Case #(s): 2014014078

Daniel Bello

License #(s): CGC1510073, CAC1816034

10689 NW 123 Street Rd.

Medley, FL 33178

14 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$7,000 and costs of \$750.41

Present w/ Counsel

Case #(s): 2015036132 Lee Joseph Cocuzza

License #(s): CBC1250502, CCC1327201, CFC1425775

1194 Old Dixie Hwy., Ste. 20

Lake Park, FL 33403

stip rejected Not Present

Case #(s): 2015020278 Jorge E. Guinovart

License #(s): CBC1259940, CCC1328793

16242 SW 52nd Terrace

Miami, FL 33185 stip rejected Not Present

Case #(s): 2014020737, 2014020748

Mark Joseph Konnick

License #(s): CGC1519533, CCC1329706

1480 Gulf Blvd. Ste. 1007 Clearwater, FL 33767 Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S.

Pay administrative fines in the amount of \$10,000 and costs of \$844.4

Counsel present

Case #(s): 2015047055 Edward Steven Pyle

License #(s): CGC1515919, CCC1329106

6258 Fine Street

Weeki Wachee, FL 34607

stip rejected Not Present Case #(s): 2015029932

Wilberto Velez

License #(s): CMC1249867, CGC1512262, CFC1427562, CCC1327903

6600 S. 32nd Avenue Tampa, FL 33619 Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$7,500 and costs of \$275.49

Not Present

Division II Board members met for Final Action on June 9, 2016, from 10:19am- 10:35am. Mr. Cobb led the meeting.

Case #(s): 2015001757

Lanny Gelfand

License #(s): CCC58041

2026 Grant Street

Hollywood, FL 33020-3546

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$1,800 and costs of \$265.75

Counsel Present

Case #(s): 2015052954

Michael Phillips

License #(s): CAC1814966

P.O. Box 478 Bunnell, FL 32110

Revocation

Pay administrative fines in the amount of \$5,000 and costs of \$179.69

Not Present

Case #(s): 2015043732
John Kenneth Teague
License #(s): CAC1815111
1110 NE Pine Island Rd., Unit 5
Cape Coral, FL 33909

Restitution in the amount of \$1,200

Probation for 2 years

7 hours additional live Continuing Education w/emphasis on Ch 489, F.S. Pay administrative fines in the amount of \$3,000 and costs of \$253.37 Not Present

GENERAL SESSION

The meeting was called to order by Jim Evetts, at 9:25am. Mr. Lenois gave the Invocation. Mr. Kane led the Pledge of Allegiance.

Review of Minutes: The Board approved minutes for:

• Meeting Minutes: February 2016 & March 2016

EXECUTIVE DIRECTOR'S REPORT – Daniel Biggins

- Mr. Biggins gave the following report: CILB Complaint Summary
- Mr. Biggins presented Mr. Pietanza with plaque to recognize the time served on the Board.
- Mr. Biggins requested the Board excuse the following absences:
- Mr. Wolf
- Mr. Castro
- Mr. Bovette
- Mr. Allocco

Mr. Biggins also notified the Board that the Fiscal Year is coming to an end June 30, 2016. All outstanding travel must be submitted as quickly as possible, any Financial Disclosure forms must also be turned in before end of Fiscal Year, as well as, the Departments new address.

The Board voted unanimously to excuse the above absences.

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

CHAIRMAN'S REPORT – Jim Evetts

Mr. Evetts:

Mr. Evetts would like to know how many open/vacant seats are there on the Division I Board, and the status of those vacancies being filled.

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

PROSECUTING ATTORNEY'S REPORT – Ian Brown

Mr. Brown gave the following report:

For the month of May 2016, the overall license activity case load was 980, up from 940 in April of 2016, and up from 664 in May 2015.

There were 770 cases currently in Legal to be reviewed, 2 cases set for probable cause, 18 cases where probable cause had been found/administrative complaints filed, 1 settlement stipulation approved, 3 informal hearings requested, 0 cases awaiting outside action, 38 cases ready for default, 51 formal hearings requested, 2 cases referred to DOAH, 0 cases in settlement negotiations, 0 case pending board date, 50 cases set for board presentation, 45 cases awaiting final orders, 0 cases under appeal and 0 cases had been re-opened.

For the month of May 2016, 75 cases were closed.

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

ATTORNEY GENERAL'S REPORT - Douglas Dolan

TREVOR ABERNATHY - REQUEST FOR INFORMAL HEARING

Mr. Abernathy was present.

Mr. Dolan presented this case stating Mr. Abernathy's application for a Certified Plumbing Contractors' license was denied at the May 2016 meeting of the Board for failure to demonstrate required experienced, as required by Florida Statute 489.111, and 61G4-15.001 Florida Administrative Code. Mr. Abernathy timely requested board reconsideration.

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

STEPHEN BRAMLETT - RECONSIDERATION INFORMAL HEARING

Mr. Bramlett was not present

Mr. Bramlett requested a 30 day continuance

After discussion, the board voted to grant the 30 day continuance.

ALDRICK DIAZ – REQUEST FOR INFORMAL HEARING

Mr. Diaz was present.

Mr. Dolan presented this case stating Mr. Diaz's application to qualify M & L Real Estate Services, LLC was denied at the January 2016 meeting of the Board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code, and 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 April of 2016. Mr. Diaz timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

DAVID GARCIA - REQUEST FOR INFORMAL HEARING

Mr. Garcia was not present.

Mr. Dolan presented this case stating Mr. Garcia's application for a Certified General Contractors' license was denied at the January 2016 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 2016. Mr. Garcia timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

JOSEPH GUARIGLIA - REQUEST FOR INFORMAL HEARING

Mr. Guariglia was not present.

Mr. Dolan presented this case stating Mr. Guariglia's application for a Certified General Contractors' license was denied at the January 2016 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 2016. Mr. Guariglia timely requested board reconsideration.

After discussion, the Board voted to vacate the previous denial and allowed the applicant to withdraw his application.

PETER MAXWELL - REQUEST FOR INFORMAL HEARING

Mr. Maxwell was present.

Mr. Dolan presented this case stating Mr. Maxwell's application for a Certified Class A Air Conditioning Contractor's license was denied at the November 2015 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 January of 2016. Mr. Maxwell timely requested board reconsideration.

After discussion, the Board voted to vacate the denial and approve a downgrade to a Certified Class B Air Conditioning Contractor's license.

JEFFERY PURCELLA – REQUEST FOR INFORMAL HEARING

Mr. Purcella was not present.

Mr. Dolan presented this case stating Mr. Purcella's application for a Certified Plumbing Contractors' license by Endorsement was denied at the May 2015 meeting of the Board due to the applicant not demonstrating he has passed an examination that is substantially equivalent to the required Florida certification examination as required by section 489.115(3), Florida Statutes. The Notice of Intent to Deny was filed in June 2015.

After discussion, the Board voted to vacate the previous denial and allowed the applicant to withdraw his application.

RICHARD STOLTE - PETITION FOR VARIANCE & WAIVER

Mr. Stolte was not present.

Mr. Dolan presented this case stating that Mr. Stolte filed a petition for Variance or Waiver on April 12, 2016. The petition was noticed in the Florida Administrative Register on May 2, 2016. Mr. Dolan noted the petitioner asks the Board for a variance from or a waiver of four year duration of validity of examination scores.

After discussion, the Board voted to deny the petition because the petitioner did not demonstrate a substantial hardship, does not violate principles of fairness, or is affected in a manner significantly different from the way the rule affects other similarly situated persons who are subject to the rule.

JOSE MANUEL VAZQUEZ- REQUEST FOR INFORMAL HEARING

Mr. Vazquez was not present.

Mr. Dolan presented this case stating Mr. Vazquez's application for a change of Status of Certified Class A Air Conditioning Contractor's license was denied at the January 2016 meeting of the Board for the applicant's employer is not a business entity pursuant to section 489.119, Florida Statutes. The applicant's employer is exempt from Chapter 489, Part I, Florida Statutes, pursuant to section 489.103, Florida Statutes, as the employer is a municipality or county. The Notice of Intent to Deny was filed in April of 2016. Mr. Vazquez timely requested board reconsideration.

After discussion, the Board voted to uphold the denial.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE - Christopher Cobb

Mr. Cobb gave the following report:

@ 1ST ATTEMPT (TRADESMANCE.COM)

1st course: 14 Hour Florida Plumbing CE Course: contingent approval

BSI SERVICES AND SOCUTIONS (WEST) INC

1st course: Construction Job Hazard Analysis: contingent approval

2nd course: Elements of a Successful Construction Health & Safety Program: contingent approval

3rd course: Multi-Employer Worksites and Contractor Safety Issues: contingent approval

4th course: SILICA: Workplace Exposures & Health Effects: contingent approval

BUILDING ENVELOPE SCIENCE INSTITUTE

1st course: Building Envelope Water Intrusion – 1: **60 day continuance**

BUILDING OFFICIALS ASSOCIATION OF FLORIDA

1st course: Cutting Edge Issues and Hot Topics: **approved**

2nd course: Exterior Cladding with Engineered Wood Trim and Siding: approved

3rd course: Understanding the Welding Inspection Process: **approved**

4th course: Working Together: approved

DANA NATHAN BLOSE

1st course: OSHA 10 Hour: **approved** 2nd course: OSHA Focus Four: **approved**

ENGLAND ENTERPRISES TRAINING DIVISION LLC

1st course: Residential Building Structural Systems: **approved** 2nd course: Residential Commercial Mechanical: **approved**

3rd course: Residential Electrical: approved

EZEKIEL ENTERPRISES LLC

1st course: Contractor Continuing Education Course: approved

FLORIDA ASSOCIATION OF BUILDING INSPECTORS INC

1st course: Wind Mitigation Training: **denied**

FLORIDA REFRIGERATION & AIR CONDITIONING CONTRACTORS ASSOCIATION

1st course: Ductless Dynamics – Application and Installation Best Practices: approved

2nd course: Florida Ventilation Strategies: approved

3rd course: Florida Construction Lien Law Today: approved

4th course: New Florida Requirements – Carbon Dioxide Monitoring: approved

5th course: Proceed with Caution – Refrigerant Mixology: **approved** 6th course: Strengths and Weaknesses of Duct Tape: **approved**

7th course: Test and Balance Meets Building Science: **approved**

8th course: Ventilation – The Once & Future King: approved

9th course: Wall of Wind – Hurricane Design of HVACR Equipment: **approved**

NODORAH TRAINING INSTITTUE

1st course: Business Practice Refresher Series 101: approved

2nd course: Laws and Rules Refresher Series 101: **approved**

3rd course: Wind Mitigation Refresher Series 101: approved

4th course: Workers' Compensation Refresher Series 101: approved

5th course: Workplace Safety Refresher Series 101: approved

REDVECTOR.COM INC

1st course: 2015 International Residential Code Essentials - Code Administration and Site

Development (RV-10940): approved

2nd course: 2015 International Residential Code Essentials – Health and Safety (RV-10942): **approved**

3rd course: 2015 International Residential Code Essentials – Protection, Utilities, Conservation and

Hazards (RV-10943): approved

4th course: 2015 International Residential Code Essentials – Structural (RV-10941): approved

5th course: Accounting for Change Orders (RV-10015): approved

6th course: Financial Responsibility and Stability Program #2: approved

7th course: Fire and Smoke Dampers Simplified (RV-11046AW): approved

8th course: Land Development Projects Design of Infrastructure (RV-10962): approved

9th course: Land Development Projects Developing Feasibility Studies (RV-10961): **approved**

10th course: Land Development Projects Grading and Damage Design (RV-10963): approved

11th course: Sustainable Building Technology (RV-10876AW): approved

12th course: Transportation Engineering Introduction to Transportation, Planning and Funding (RV-

10989): approved

13th course: Urban Drainage - Design of Storm Water Detention and Retention Facilities (RV-

10934AW): approved

14th course: Work Zone and Safety and Traffic Control (RV-10987): approved

SMITH, CURRIE & HANCOCK LLP

1st course: Common Sense Construction Law for Florida Contractors: **contingent approval**

With nothing further to report the board voted to approve this report.

RULES/PUBLIC/LEGISLATIVE COMMITTEE - ROY LENOIS

Mr. Dolan gave the following report:

61G4-12.011 Definitions

Sent to OFARR 05/19/2016

61G4-15.001 Qualification for Certification

- Rough Draft sent to OFARR 6/4/2015
- Rules Development Published 6/12/2015
- Notice Published 12/2/2015
- Adopted: 1/29/2016
- Effective: TOLLED as of 2/5/2016

61G4-15.032 Certification of Swimming Pool Specialty Contractors

- Sent to OFARR: 2/25/2016
- Rules Development Published 10/2/2015
- Notice Published 3/4/2016
- Adopted: 4/6/2016Effective: 4/26/2016

61G4-18.0004 Approval of Continuing Education Courses

- Rule Language Approved By Board: 3/11/2016
- Sent to OFARR: 4/6/2016
- Rules Development Published 4/15/2016
- Notice Published 5/2/2016

With nothing further to report the board voted to approve this report.

OLD BUSINESS

Removal of old materials from laptop.

NEW BUSINESS

With no further business the meeting was adjourned at 10:34am.