

FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD

Hilton Sandestin
4000 S. Sandestin Blvd.
Miramar Beach, FL 32550
850.267.9500

November 8th, 10-12, 2021
MEETING MINUTES

Approved January 13th, 2023

Board Members Present

Rachelle Wood, Chair
Michael Strickland, Vice-Chair
Donald Cesarone
Brian Donovan
Mario Famada
Ted Feaster
Robert Maphis
Edward McCullers
Ashley Ross
Brian "Parks" Wilson

Board Members Absent

Aaron Boyette
Frank Cawthon
Rick Kane
Edgar Laney
Keith Lawson

Others Present

Donald Shaw, Executive Director, DBPR
Jordan Jones, Government Analyst, DBPR
Angelica Barnes, Regulatory Consultant, DBPR
Ian Brown, Chief Construction Attorney, DBPR
Sally Raines, Deputy Chief Construction Attorney, DBPR
Goliath Davis, Senior 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 November 10, 2021 from 2:00 – 2:39pm. Mr. McCullers led the meeting. Of the 12 applications on the agenda, 2 were approved, 1 was approved contingent, 1 was withdrawn, 5 were continued, 1 was pulled, and 2 were denied.

APPROVED (2)

Anderson, Gregory
Devove, Thierry

APPROVED CONTINGENT (1)

Smith, Richard

WITHDRAWN (1)

Carroll, John

PULLED (1)

Raffensberger, Michael

CONTINUED (5)

Aljasir, Jonathan – 60 days
Coughlin, Adam – 60 days
Green, Caleb – 90 days
Milian, Yosmel – 60 days
Neal, Andrew – 90 days

DENIED (2)

Davis, Mark
Silas, Patrick

APPLICATION REVIEW DIVISION II

Division II Board members met for Application Review on November 10, 2021 from 2:45 – 3:47pm. Mr. Famada led the meeting. Of the 24 applications on the agenda, 9 were approved, 3 were continued, 1 was withdrawn, and 11 denied.

APPROVED (9)

Bowman, Charles
Fonesca, Roberto
Gilbert, Luke
McQuillan, Stephen
Metellus, Wilord (downgrade to class A)
Mitchell, Christopher
Phillips, Gary
Riedinger, David
Solodovnik, Lev

CONTINUED (3)

Gittens, Ryan – 60 days
Jones, Justin – 60 days

Pounders, Allen – 60 days

WITHDRAWN (1)

Acosta, Danny

DENIED (11)

Anderson, John

Diaz, Adrian

Duda, Carson

Fortes, Abel

Lucas, Candice

Petti, Anthony

Rahmanparast, Arian

Tapia Cortez, Mitchell

Vu, Vuong

Waldrep, Daniel

Whitefield, Jake

Division II voted unanimously to ratify the list of approved Financially Responsible Officers.

ADDITIONAL BUSINESS ENTITIES REVIEW DIVISION I

Division I Board members met for Additional Business Entities Review on November 11, 2021 from 1:30 – 2:00, 2:33 – 2:38 Mr. Maphis led the meeting. Of the 15 applications on the agenda, 6 were approved, 2 approved contingent, 4 were continued, 1 was withdrawn, and 2 were denied.

APPROVED (6)

Anderson, Gregory

Elkomous, Samir

Fleck, William

Furer, Dove

McGuirk, Sean

Robson, Robb

APPROVED CONTINGENT (2)

Martinez, Gabriel

Palacio, Gabriel

CONTINUED (4)

Cangianelli, Charles – (Miner, LTD) – 60 days

Cangianelli, Charles – (Concentric, LTD) – 60 days

Osceneek, Ricardo – 90 days

Young, Marzuq – 60days

WITHDRAWN (1)

Flynn, Blaine

DENIED (2)

Holmes, Douglas

Jones, Jedidiah

APPLICATION REVIEW DIVISION I

Division I Board members met for Application Review on November 11, 2021 from 2:38 – 4:41pm. Mr. Cawthon led the meeting. Of the 26 applications on the agenda, 14 were approved, 2 were approved contingent, 5 were continued, 1 was pulled, 2 were withdrawn, and 2 were denied.

APPROVED (14)

Bust Olive, Solstis

Canizalez Hong, Argenis – downgrade to CBC

Carlson, Perry – downgrade to CBC

Carroll, John

Hill, Michael

Holloway, Natha

Hutchins, Harry

Johnson, Marvin

Littrell, Quintin

Martin, Kenny

Palmer, John – downgrade to CBC

Reed, Davis – probation on CBC

Reiter, Richard – downgrade to Industrial Specialty

Scott, Bryan

APPROVED CONTINGENT (2)

Griffith, Mike

Whitby, James

CONTINUED (5)

Catania, Christopher – 90days

Hernandez, Cristhian – 60 days

Livers, Brooks – 90 days

McCullough, Steven – 30 days

Paulo, Jack – 60 days

WITHDRAWN (2)

Coriano, Luis

Logan, Kelly

PULLED (1)

Glasgow, Stephen

DENIED (2)

Rains, James
Robinson, Kris

Division I voted unanimously to ratify the list of approved Financially Responsible Officers.

Division II Board members met for Final Action on November 11, 2021 from 9:00 – 9:01am. Ms. Wood led the meeting.

Case #(s): 2020047842

Kristie, Troy

License #(s): CCC1326588, CCC1332150

Probation

Pay administrative fines in the amount of \$3,500 and costs of \$333.32

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

Present

Case #(s): 2020020786

Sunderman, Robert

License #(s): CFC1428942, CPC1458196

Revocation

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$219.24

Not Present

Case #(s): 2020027742

Sunderman, Robert

License #(s): CFC1428942, CPC1458196

Revocation

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$178.74

Not Present

Case #(s): 2020028815

Sunderman, Robert

License #(s): CFC1428942, CPC1458196

Revocation

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$152.13

Not Present

Case #(s): 2021034250, 2021034265, 2021034251, 2021034653, 2020034503, 2021034351, 2021027859, 2021034291, 2021034238, 2021035217, 2021034532, 2021035941, 2021034352, 2021035806, 2021035799, 2021035175, 2021034857, 2021034603, 2021034521, 2021034488, 2021034401, 2021034337, 2021034254, 2021034245, 2021034243, 2021034239, 2021034230, 2021034229, 2021033963, 2021033927, 2021033632, 2021034507, 2021034368, 2021034255, 202103435, 2021034328, 2021034313, 2021034279, 2021034288, 2021034252, 2021034228,

2021033508, 2021035262, 2021035074, 2021034895, 2021034831, 2021034527, 2021034526, 2021034375, 2021034248, 2021034196, 2021019598, 2021033745, 2021033319, 2021033209, 2021036075, 2021036304, 2021034237, 2021034259, 2021034425, 2021033531

Staten, James

License #(s): CPC1458502, CPC1458348

Division I & II Board members met for Final Action on November 11, 2021 from 9:15 – 9:43. Ms. Wood and Mr. Strickland led this meeting.

Case #(s): 2020006821

Garcia, Jose

License #(s): FRO9850

Probation

Restitution - \$6,000 to Andrew Miller

Pay administrative fines in the amount of \$5,000 and costs of \$154.51

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

Not Present

Case #(s): 2021016791

Graham, Willie

License #(s): FRO10195, FRO10827

Revocation

Restitution

Pay administrative fines in the amount of \$5,000 and costs of \$804.70

Present with Counsel

Case #(s): 2018028305, 2018028896, 2018042969

Pollack, Bradley

License #(s): CGC1509548, CGC1521897, CGC1521931, CGC1524832, CCC1328033,

CCC1330363, CCC1331073

Voluntary Relinquished

Revocation

Pay Administrative fines in the amount of \$30,000 and costs of \$275.03, \$360.59, and \$150.77

Case #(s): 2017030704

Raymer, John

License #(s): CGC58884, CCC56907

Probation

Pay administrative fines in the amount of \$5,000 and costs of \$105.38

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

**Division I Board members met for Final Action on November 11, 2021, from 9:45 – 10:05
Mr. Strickland led the meeting.**

Case #(s): 2021016318, 2021019795, 2021022712

Alvarez, Luis

License #(s): CGC1522858

Revocation

Pay administrative fines in the amount of \$10,000 and costs of \$267.06
Not Present

Case #(s): 2021018528

Asmar, Camille

License #(s): CGC1526417

Probation

Pay administrative fines in the amount of \$6,000 and costs of \$314.40

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

Not Present

Case #(s): 2021012239

D'Andrea, Paul

License #(s): CBC56987

Continued 60 days

Not Present

Case #(s): 2020003377

Diaz, Ruben

License #(s): CGC1525995

Previous April 2021 orders vacated, case dismissed

Not Present

Case #(s): 2021027506

Flanagan, Ian

License #(s): CGC1514489, CRC1328410

Revocation

Restitution

Pay administrative fines in the amount of \$20,000 and costs of \$216.44

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

Not Present

Case #(s): 2018026844

Lezcano, Michael

License #(s): CGC1516681

Probation

Pay administrative fines in the amount of \$5,500 and costs of \$448.28

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

Not Present

Case #(s): 2019056753, 2020005750, 2020008793

Mervine, Ralph

License #(s): CGC60150

Revocation

Restitution

Pay administrative fines in the amount of \$60,000 and costs of \$500

Not Present

Case #(s): 2021013131

Munoz, Martha

License #(s): CGC1511927

Probation

Pay administrative fines in the amount of \$5,000 and costs of \$162.46

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

Not Present

Case #(s): 2021010711

Provo, Anthony

License #(s): CBC1251096

Probation

Pay administrative fines in the amount of \$5,000 and costs of \$386.17

Not Present

Case #(s): 2020025659

Rash, Paul

License #(s): SCC13056655

Probation

Restitution - \$5,800 to Jesse & Ronald Prentice-Bryant

Pay administrative fines in the amount of \$4,500 and costs of \$189.99

Not Present

Case #(s): 2018048025

Rodriguez, Carlos

License #(s): CGC1515401

Probation

Restitution - \$50,000 to Pierre Boumerhi

Pay administrative fines in the amount of \$8,000 and costs of \$176.74

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

Not Present

Case #(s): 2019056935

Rodriguez, Wilfredo

License #(s): CGC1522640

Probation

Restitution - \$10,780.61 to Carlos Ramirez & Georgina Pavon

Pay administrative fines in the amount of \$17,500 and costs of \$205.88

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

Not Present

Case #(s): 2020044316

Shaw, Jeffrey

License #(s): CGC1508442

Revocation

Restitution - \$5,000 to James White
Pay administrative fines in the amount of \$20,000 and costs of \$303.66
Not Present

Case #(s): 2021017079

Wallace, David

License #(s): CBC1262209

Revocation

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$233.93

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

Not Present

Case #(s): 2020031895

Wallace, David

License #(s): CBC1262209

Revocation

Proof of Civil Judgment satisfaction

Pay investigative costs of \$233.93

Not Present

Case #(s): 2021000778

Wallace, David

License #(s): CBC1262209

Revocation

Restitution - \$22,641 to James and Krista Keaton

Pay administrative fines in the amount of \$12,500 and costs of \$360.52

Not Present

Case #(s): 2021004291

Wallace, David

License #(s): CBC1262209

Revocation

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$172.66

Not Present

Case #(s): 2021005297

Wallace, David

License #(s): CBC1262209

Revocation

Restitution

Pay administrative fines in the amount of \$12,500 and costs of \$266.28

Not Present

PROBATION

Division II Board members convened for Probation on November 11, 2021, from 8:36 – 8:51. Mr. Cesarone led the meeting.

Baudendistel, Joseph – CCC1331627, CFC1430077, CFC1428560

Appearance 1 of 4

Result: Satisfactory

Harvey, Brian Paul – CMC1249346

CONTINUED

Stays To Be Lifted

Garner, Paul – CCC1331002

Appearance 1 of 12, 0 Satisfactory Appearances

No prior Continuance, No prior unsatisfactory results, no prior stays lifted and no reinstatements

Results: Stay Lifted

Division I Board members convened for Probation on November 11, 2021, from 10:30 – 10:34. Mr. Donovan led the meeting.

Baudendistel, Joseph – CGC1526691, CGC1510533

Appearance 1 of 4

Result: Satisfactory

Stays Of Suspension To Be Lifted

Jaffe, Abraham – CGC57378 (Disciplinary)

Appearance 1 of 4, 0 satisfactory appearances, 1 previous continuance (September 2021), no prior unsatisfactory results, no stays lifted.

Results: License placed Inactive

Line, Denis – CRC17304 (Disciplinary)

Appearance 1 of 4, 0 satisfactory appearances, no previous continuances, no prior unsatisfactory results, no stays lifted, currently in delinquent status and lives out of state.

Results: Stay Lifted

Termination List

Rasheed, Neal – SCC131151389

Appearance 6 of 8, no prior continuances, no stays lifted, 1 unsatisfactory results

Results: Probation Terminated

GENERAL SESSION

The meeting was called to order by Ms. Wood, at 8:30am. Mr. Donovan gave the Invocation. Mr. Cesarone led the Pledge of Allegiance.

CHAIRMAN'S REPORT- Ms. Wood

Ms. Wood welcomed back former board member Jacqueline Watts and commended her on her previous service to the Board.

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

EXECUTIVE DIRECTOR'S REPORT – Donald Shaw

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

- Mr. Boyette
- Mr. Cawthon
- Mr. Kane
- Mr. Laney
- Mr. Lawson

Mr. Shaw requested the Board to transfer \$2,000,000 from their operating account to their unlicensed activity account, to make up for existing and anticipated deficit in that account. After discussion, the Board voted unanimously to approve the request.

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

PROSECUTING ATTORNEY'S REPORT- Ian Brown

Mr. Brown provided an update on the personnel and staffing issues in his section.

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

HEARING AND PETITIONS

CORTEZ, ALVIN – INFORMAL HEARING

Mr. Cortez was present.

Mr. Milne presented this case stating that Mr. Cortez' application to qualify Alron Roofing, LLC as an additional business entity was denied at the June 2021 meeting of the Board for failure to appear as required by Rule 61G4-15.0021, Florida Administrative Code, and failure to demonstrate supervision as required by section 489.119, Florida Statutes, and Rule 61G4-15.0024, Florida Administrative Code. The Notice of Intent to Deny was filed in July of 2021. Mr. Cortez timely requested an informal hearing.

After discussion, the Board voted to vacate the previous denial and approved the application for contingent on the applicant providing proof of completion of a 7-hour Laws & Rules course within 60 days.

HOY, JASON – INFORMAL HEARING

Mr. Hoy was present.

Mr. Milne presented this case stating that Mr. Hoy's application for a Certified General Contractor's License was denied at the July 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 August of 2021. Mr. Hoy timely requested an informal hearing.

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

JOHNSTON, RYAN – INFORMAL HEARING

Mr. Johnston was present.

Mr. Milne presented this case stating that Mr. Johnson's application for a Certified Plumbing 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. Johnson timely requested an informal hearing.

After discussion, the Board voted to vacate the previous denial and approve the application contingent on the applicant providing proof of completion of a 7-hour course on Financial Management, to be completed within 60 days.

RUSSO, FRANK – PETITION FOR DECLATORY STATEMENT

The applicant withdrew his petition prior to the meeting.

RULES/PUBLIC/LEGISLATIVE

Mr. Shaw presented proposed language for Rule 61G4-15.006, Florida Administrative Code, to remove the requirements that applicants for licensure obtain a licensure bond if their credit score was under 660 at the time of application, and Rule 61G4-15.0021, Florida Administrative Code, to allow for the Department to approve additional business applications for a second business, only if the applicant clearly demonstrates that they are a W2 employee of the second business.

After discussion, the board voted unanimously to approve the proposed language.

COMMITTEE REPORTS

EXAMS/CE/PUBLIC AWARENESS COMMITTEE – Ted Feaster

Mr. Feaster gave the following report:

!AT YOUR PLACE

1st course: 1 Attempt Florida 2-Hour Contractor Endorsement Course: **approved**

APA THE ENGINEERED WOOD ASSOCIATION

1st course: Lateral Load Paths Basics – Tracing a Wind Load Through a Wood Framed Structure (internet): **approved**

2nd course: Lateral Load Paths Basics – Tracing a Wind Load Through a Wood Framed Structure (classroom): **approved**

FLORIDA HOME BUILDERS ASSOCIATION

1st course: Florida Law Simplified (internet): **approved**

2nd course: Florida Law Simplified (classroom): **approved**

FLORIDA POOL & SPA ASSOCIATION DBA FLORIDA SWIMMING POOL ASSOCIATION

1st course: C171: Project Profiles – An interactive Discussion on Design: **approved**

2nd course: Engineering 151 – The Do's and Don'ts of Pool Engineering & construction: **approved**

3rd course: Engineering 155 – Elevated Pool Construction: **approved**

JC CODE & CONSTRUCTION CONSULTANTS, INC

1st course: OSHA 1926 Construction Industry PPE: **approved**

PINCH A PENNY, INC

1st course: Ancillary Services: **denied**

2nd course: Business Profitability: **denied**

3rd course: Grassroots Marketing: **denied**

4th course: Hiring and Retaining Employees: **denied**

5th course: Overcoming Sales Objections: **denied**

NOMINATING COMMITTEE

A motion was made and passed unanimously, nominating Mr. Strickland as Chair and Mr. Cesarone as Vice-Chair for the 2022 calendar year.

OLD BUSINESS

Removal of Board materials from laptops

NEW BUSINESS

Mr. Shaw informed the Board that the December 2021 meeting was confirmed and would take place on December 16, 2021 in Orlando.

Mr. Shaw also informed the Board that the Department was researching giving a fee holiday to contractors as part of their 2022 and 2023 renewal. Mr. Shaw informed the Board that he would come back with more information at future meetings regarding this.

With no further business the meeting was adjourned at 9:15am.