

FILED	
Department of Business and Professional Regulation	
AGENCY CLERK	
CLERK	Ronda L. Bryan
Date	9/20/2011
File #	2011-06452

**STATE OF FLORIDA
CONSTRUCTION INDUSTRY LICENSING BOARD**

IN RE:

**THE PETITION FOR DECLARATORY STATEMENT OF
ALEJANDRO ARGUELLES**

DS 2011-060

FINAL ORDER

This matter came before the Construction Industry Licensing Board (Board) pursuant to section 120.565, Florida Statutes. At a duly-noticed public meeting held on August 12, 2011 in Tampa, Florida, the Board considered the Petition for Declaratory Statement filed by ALEJANDRO ARGUELLES, who was present.

The Petition was filed with the Department of Business and Professional Regulation on July 14, 2011. Notice of the Petition was published on August 5, 2011, in the Florida Administrative Weekly. No comments were received.

Having considered the Petition and relevant statutes and rules, the Board issues the following:

FINDINGS OF FACT:

1. The facts considered by the Board are as alleged in the Petition, a copy of which is attached hereto and incorporated by reference, and presented at the meeting, with no further investigation by the Board.

2. Petitioner is licensed by the Board as a certified general contractor.

3. Petitioner asks the Board whether a licensed general contractor must be a certified or registered solar contractor or contract with a solar contractor in order to apply Tile Integrated Photovoltaics (T.I.P.V.) to roofing.

CONCLUSIONS OF LAW

4. The Construction Industry Licensing Board has authority to issue this Final Order pursuant to Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.


5. Petitioner is substantially affected, as required by section 120.565, Florida Statutes.

6. Pursuant to section 489.105(3)(o), Florida Statutes, a contractor is not required to become a solar contractor or to contract with a solar contractor to provide services that are otherwise within such contractor's scope of services.

Therefore, the Board hereby issues a declaratory statement that a Division 1 contractor, a roofing contractor, or a solar contractor may provide the services described in the second tabbed paragraph of the Petition.

This Final Order shall be effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 8 day of September,
2011.



MARK PIETANZA, Chair
Construction Industry Licensing Board

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been provided by U.S. Mail to: ALEJANDRO ARGUELLES , 7800 SW 94 Street, Miami, Florida 33156, and by hand/ interoffice delivery to Daniel Biggins, Assistant Attorney General, Suite PL-01, The Capitol, Tallahassee, Florida 32399-1050; Tammie Britt, Suite PL-01, The Capitol, Tallahassee, Florida 32399-1050 and the Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039, on or before 5:00 p.m., this 20 day of September, 2011.

A handwritten signature in black ink, appearing to read 'Daniel Biggins', is written over a horizontal line.

7006 2760 0001 4029 2800

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Sent To Alejandro Arguellos
 Street, Apt. No.,
 or PO Box No. 7800 SW 94 St
 City, State, ZIP+4 Miami, FL 33156

ALEJANDRO ARGUELLES
GENERAL CONTRACTOR
STATE OF FLORIDA
LIC.# CGC 005007
 7800 S.W. 94 STREET - MIAMI, FLORIDA 33156
 TEL. 305-279-4729

FILED	
<small>Department of Business and Professional Regulation Deputy Agency Clerk</small>	
CLERK	Brandon Nichols
Date	7/14/2011
File #	

DS 2011-060

DATE: JULY 14, 2011
 ATT: MR. DONALD SHAW
 TO: BOARD OF PROFESSIONAL REGULATION
 REF: QUALIFICATIONS FOR (PRE-1973) GENERAL CONTRACTOR TO INSTALL T.I.P.V

GENTLEMEN.

AS PER SECTION 489.105(3)(0) FROM FLORIDA LICENSING LAW (F.S.CH. 489 READS:

"A CONTRACTOR, CERTIFIED OR REGISTERED PURSUANT TO THE PROVISIONS OF THIS CHAPTER, IS NOT REQUIRED TO BECOME A CERTIFIED OR REGISTERED CONTRACTOR OR TO CONTACT WITH A SOLAR CONTRACTOR IN ORDER TO PROVIDE ANY SERVICES ENUMERATED IN THIS PARAGRAPH THAT ARE WITHIN THE SCOPE OF THE SERVICES SUCH CONTRACTORS MAY RENDER UNDER THIS PART."

HYBRID ROOF TILE INTEGRATED PHOTOVOLTAICS (T.I.P.V) IS SIMPLY THE APPLICATION OF A POPULAR PEEL AND STICK LAMINATED ADHERED TO A METAL PAN THAT IS ATTACHED BY APPROVED FOAM TO A SUBSTRATE SIMILAR TO A LARGE ROOF TILE. THE METAL PANS ARE JOINED TOGETHER BY COMMON BARREL TILE (SEE ATTACHED PICTURE). THERE IS NO GLASS, FRAMES OR PENETRATIONS TO THE DECK, THEREFORE SUBSTANTIALLY REDUCING THE COST OF INSTALLATION.

IN MIAMI-DADE COUNTY, WE ARE ASK TO PULL A MASTER ELECTRICAL PERMIT WHILE OTHER COUNTIES DO NOT REQUIRE IT, THE LAW IS CLEAR ACCORDING TO THE ABOVE MENTION STATUTE, THE CONNECTION IS LOW VOLTAGE (ELECTRONIC) , LIKE CONNECTING A MICROWAVE TO AN OUTLET UTILIZING COMMERCIALY AVAILABLE U.S. MANUFACTURE SOLAR TECHNOLOGY WOULD SATISFY THE DEPARTMENT OF ENERGY AND SECRETARY CHEW'S "SUN SHOT INITIATIVE" OF LOWERING BALANCE OF SYSTEMS HARDWARE COSTS DUE TO LOWER COSTS DUE TO LOWER COSTS OF PERMITTING, REVIEW AND QUALIFICATIONS.

THE HYBRID SYSTEM HAS BEEN RECOGNIZED BY THE MIAMI-DADE COUNTY BOARD OF RULES AND APPEALS, AS INNOVATIVE BY SECTION 1512.2.2 SUCH AS INNOVATION SHOULD NOT BE CATEGORIZED IN THE SAME CLASSIFICATION AS THE MORE CUMBERSOME INSTALLATIONS OF FRAME GLASS MOUNTED TECHNOLOGY. THEREFORE, WE WOULD LIKE TO REQUEST A FORMAL LETTER FROM YOUR OFFICE CLARIFYING THE FLORIDA STATUTES.

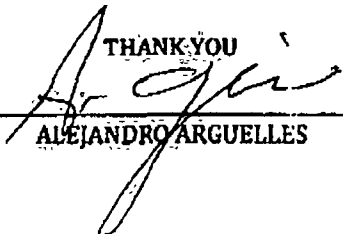
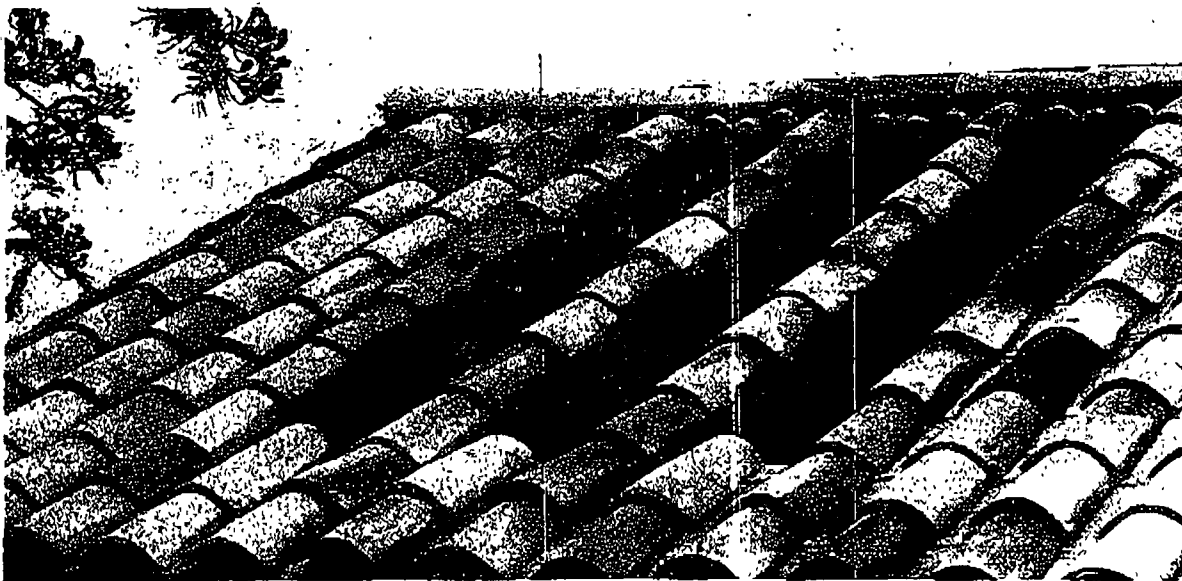
THANK YOU

 ALEJANDRO ARGUELLES

Fig. # 2
CGC 005007

ArteZanos® Hybrid Universal Roof Tile System: Traditional Handmade Barrel Tile & The Universal Pan

We have created a patented Miami-Dade County Approved disaster resistant, 100 year, recyclable, panelized, easy-to-install traditional roof tile system that can support aesthetically integrated photovoltaic and green-roofing technologies.



The Universal Hybrid Roof Tile System with integrated photovoltaics