

**MINUTES FROM THE  
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING  
Embassy Suites Hotel  
1100 SE 17<sup>th</sup> Street  
Fort Lauderdale, FL 33316  
PH: 954-527-2700  
September 21, 22 & 23, 2011**

The Board meeting was called to order by Chairman Kenneth Hoffmann at 8:30 a.m.

**PLEDGE OF ALLEGIANCE  
INVOCATION**

**ROLL CALL**

**Members Present**

Kenneth Hoffmann (Chairman)  
Noel Thomas (Vice-Chairman)  
Brian Flaherty  
Clarence K. Tibbs  
Paul Sandefer  
Robert Bramlett  
David Botknecht  
Benjamin Smith  
Timothy Chinchor  
David Botknecht

**Members Absent**

None

**Others Present**

Juanita Chastain, Executive Director  
Ruthanne Christie, Government Analyst II  
Deborah Loucks, Esq., Assistant Attorney General  
LeChea Parson, Esq., Assistant General Counsel  
Court Reporter – Official Reporting Service (954) 467-8204

**Approval of the Agenda**

**MOTION:** Mr. Flaherty made a motion to approve the agenda.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Disciplinary Cases – LeChea Parson, Assistant General Counsel**

**Marese, Donald**  
**Brighton Electrical, LLC**  
**License #: EC13003478**  
**Case #: 2010-007399**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. Marese was represented by counsel. Case was withdrawn from the agenda.

**Finno, Tony**  
**True Power Electric, Inc.**  
**License #: EC13002831**  
**Case #: 2010-022475**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. Finno was present and sworn in by the court reporter.

Mr. Finno was charged with violation of 489.533(1)(m)1, F.S., committing financial mismanagement or misconduct.

**MOTION:** Mr. Sandefer made a motion to accept the findings of facts as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Chinchor.  
Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to accept conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Chinchor.  
Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to impose a fine of \$5,000, costs of \$278.03 and restitution, suspension of license until restitution is paid.

**SECOND:** Mr. Chinchor.  
Motion passed unanimously.

**Michie, Kristopher**  
**Craftstaff, LLC**  
**License #: ER13012614**  
**Case #: 2010-047978**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. Michie was present and sworn in by the court reporter

Mr. Michie was charged with violation of 489.533(1)(m)1, F.S., committing financial mismanagement or misconduct.

**MOTION:** Mr. Sandefer made a motion the respondent was properly served.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion the respondent waived his right to hearing.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion to impose a fine of \$250 and costs of \$227.40, restitution and probation until judgment is satisfied.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**Grant, Glenn**

**Vicon Electric, Inc.**

**License #: EC0002072**

**Case #: 2010-051851**

**Recused: Tibbs, Bramlett & Thomas**

Mr. Grant was present and sworn in by the court reporter with counsel Edwin Bayò, Esq.

Mr. Grant was charged with a violation of 489.533(1)(m)2, F.S. committing financial mismanagement or misconduct.

**MOTION:** Mr. Flaherty made a motion to reject the stipulation.

**SECOND:** Mr. Chinchor.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to offer a counter offer of a fine of \$1,000, costs of \$212.49, restitution and probation until all are paid.

**SECOND:** Mr. Chinchor.

Motion passed unanimously.

Mr. Bayò asked Ms. Loucks to send the counteroffer in writing.

**Oliver, Michael**

**Absolute Security, Inc.**

**License #: EC11001513**  
**Case #: 2010-052797**

Mr. Oliver was not present nor represented by counsel.

Mr. Oliver was charged with a violation of 489.533(1)(m)4, F.S., failing to pay a civil judgment.

**MOTION:** Mr. Botknecht made a motion the respondent was properly served.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Botknecht made a motion the respondent waived his right to hearing.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Hoffmann made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

**MOTION:** Mr. Hoffman made a motion to impose a fine of \$2,500 and costs of \$584.82 (90 days to pay) and revocation of licensure.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

**Simeone, Ken**  
**Hi-Tech Systems, Inc.**  
**License #: ER12196**  
**Case #: 2011-015480**

**Recused: Tibbs, Bramlett & Thomas**

Mr. Simeone was not present nor represented by counsel.

Mr. Simeone was charged with a violation of 489.533(1)(l), F.S., acting in a name other than licensed, 489.533(1)(o), F.S. failure to comply with statute, 489.521(7)(b), F.S. failure to list license # on advertisements.

**MOTION:** Mr. Sandefer made a motion to accept the findings as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to accept the conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to impose a fine of \$750 and costs of \$296.71 and 1 year probation, citing mitigating factor of application pending to correct violations.

**SECOND:** Mr. Smith.

Motion passed unanimously.

**Villar, Nathan**  
**Empire Electrical Contracting**  
**License #: EC13001227**  
**Case #: 2010-047204**  
**Recused: Thomas, Bramlett, Tibbs**

Mr. Villar was not present nor represented by counsel.

Mr. Villar was charged with a violation of 489.533(1)(m)4, F.S., committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Flaherty made a motion the respondent was properly served and waived his right to hearing.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to impose a fine of \$3,000 and costs of \$409.26 and suspension of licensure until fines and costs are paid in full.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

**Villar, Nathan**  
**Empire Electrical Contracting**  
**License #: EC13001227**  
**Case #: 2010-026581**  
**Recused: Thomas, Bramlett, Tibbs**

Mr. Villar was not present nor represented by counsel.

Mr. Villar was charged with a violation of 489.533(1)(m)2, F.S., committing financial mismanagement or misconduct, 489.533(1)(i), F.S. violating applicable building codes or laws.

**MOTION:** Mr. Sandefer made a motion the respondent was properly served and waived his right to hearing.

**SECOND:** Mr. Botknecht.  
Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Flaherty.  
Motion passed unanimously.

**MOTION:** Mr. Botknecht made a motion to impose a fine of \$7,500 and costs of \$1,016.84 and suspension of licensure until fines and costs are paid in full.

**SECOND:** Mr. Flaherty.  
Motion passed unanimously.

**White, Alfred**  
**Industrial Electrical & Instrumentation, Inc.**  
**License #: EC1805**  
**Case #: 2010-057795**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. White was not present nor represented by counsel.

Mr. White was charged with a violation of 489.533(1)(m)2, F.S., committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Flaherty made a motion the respondent was properly served and waived his right to hearing.

**SECOND:** Mr. Sandefer.  
Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Sandefer.  
Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to impose a fine of \$3,000 and costs of \$257.56 and suspension of licensure until fines and costs and judgment are paid in full and respondent appears before the Board.

**SECOND:** Mr. Sandefer.  
Motion passed unanimously.

**Harris, Fernando St. Clair**  
**FSH Electrical Services, Inc.**  
**License #: ER14741**  
**Case #: 2011-006678**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. St. Clair Harris was present and sworn in by the court reporter with counsel Don James, Esq.

Mr. St. Clair Harris was charged with a violation of 489.533(1)(m)4, F.S. committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Flaherty made a motion to accept the stipulation imposing a fine of \$1,000, costs of \$68.10 and probation until civil judgment is satisfied.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**Mitchell, Jed**  
**Jim Thrift, Inc**  
**License #: EC13001519**  
**Case #: 2011-003961**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. Mitchell was present and sworn in by the court reporter.

Mr. Mitchell was charged with a violation of 489.533(1)(m)4, F.S. committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Flaherty made a motion to reject the stipulation.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to offer a counter offer imposing a fine of \$150, costs of \$191.13 and 2 years to pay restitution with probation until civil judgment is satisfied (maximum 2 years).

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

Mr. Mitchell accepted the counteroffer on the record.

**Morejon, Elpidio**  
**Florida Fire Safety, Inc.**  
**License #: EC13003256**  
**Case #: 2010-059426**  
**Recused: Tibbs, Bramlett & Thomas**

Mr. Morejon was not present, Jesus Morales, President of business was present on his behalf.

Mr. Morejon was charged with a violation of 489.533(1)(r), F.S. proceeding on a job without applicable permits.

**MOTION:** Mr. Sandefer made a motion to accept the stipulation imposing a fine of \$750, costs of \$325.75 and probation until civil judgment is satisfied.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**Alcindor, Roger**

**Fello Electric, Inc.**

**License #: ER13013346**

**Case #: 2011-013181**

**Recused: Tibbs, Bramlett & Thomas**

Mr. Alcindor was present and sworn in by the court reporter.

Mr. Alcindor was charged with a violation of 489.533(1)(m)4, F.S. committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Flaherty made a motion to reject the stipulation.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to offer a counter offer imposing a fine of \$1,000, costs of \$283.73 and 2 years to pay fines, costs and restitution with probation until all are paid.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

Mr. Alcindor accepted the counteroffer on the record.

**Brewer, Woodie**

**License #: EC13002160**

**Case #: 2011-004325**

**Recused: Tibbs, Bramlett & Thomas**

Mr. Brewer was not present nor represented by counsel.

Mr. Brewer was charged with a violation of 489.533(1)(m)2, F.S., committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Sandefer made a motion the respondent was properly served and waived his right to hearing.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Sandefer.



Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion to impose a fine of \$2,500 and costs of \$380.80 and suspension of licensure until fines and costs and judgment are paid in .

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**Dias, Alston**

**Mizpah Electric, Inc.**

**License #: EC2175**

**Case #: 2011-004127**

**Recused: Tibbs, Bramlett & Thomas**

Mr. Dias was not present nor represented by counsel.

Mr. Diasl was charged with a violation of 489.533(1)(m)4, F.S. committing financial mismanagement or misconduct by failing to pay a civil judgment.

**MOTION:** Mr. Sandefer made a motion to reject the stipulation.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion to offer a counter offer imposing a fine of \$3,000, costs of \$290.37 and probation until civil judgment is satisfied, 30 days to pay fines and costs.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**Matt, Arthur**

**Art's Electrical Services & Contracting**

**License #: EC13002379**

**Case #: 2010-051958**

**Recused: Tibbs, Bramlett & Thomas**

Mr. Matt was not present nor represented by counsel.

Mr. Matt was charged with a violation of 489.533(1)(m)2, F.S., comitting financial mismanagement or misconductby failing to pay a civil judgment.

**MOTION:** Mr. Sandefer made a motion the respondent was properly served and waived his right to hearing.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**MOTION:** Mr. Flaherty made a motion to accept the findings of facts and conclusions of law as stated in the administrative complaint as those of the Board.

**SECOND:** Mr. Sandefer.  
Motion passed unanimously.

**MOTION:** Mr. Sandefer made a motion to impose a fine of \$2,500 and costs of \$380.80 and suspension of licensure until fines and costs and judgment are paid in full and respondent appears before the Board.

**SECOND:** Mr. Flaherty.  
Motion passed unanimously.

**Rennhack, Ronald**  
**License #: EF285**  
**Case #: 2008-018439**  
**Recused: Tibbs, Bramlett & Thomas**

Ms. Parson requested the Board consider dismissing the case based on the fact Mr. Rennhack complied with the prior order just prior to the final order in this case being filed.

**MOTION:** Mr. Tibbs made a motion to dismiss the case.  
**SECOND:** Mr. Sandefer.  
Motion passed unanimously.

**APPLICATION REVIEW –Kenneth Hoffmann, Chairman**  
Additional Business Applications

See exhibit A for a list of applicants that were present during this portion of the meeting:

The Court Reporter swore in, as a group, the applicants and those persons providing testimony on behalf of the applicant. During the review each applicant and their respective designees were interviewed in turn and answered general questions concerning the business entity they wished to qualify and direct questions concerning their understanding of their responsibilities and obligations as primary qualifying agent.

Mr. Thomas asked of the second business applicants collectively as a group:

- ~ *“Do you understand that you will be legally responsible for every job undertaken by this business?”*
- ~ *Do you understand that you will be financially responsible for every job undertaken by this business?”*
- ~ *Do you understand that you are required to approve the work done on every job undertaken by this business?”*
- ~ *Do you understand that your license is dependent upon how seriously you take these responsibilities?”*

Each applicant answered affirmatively to each of the preceding questions.

**HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT –**

**Deborah Loucks, Assistant Attorney General**

**Richard Alger**  
**Application Denial**

Mr. Alger was present and sworn in by the court reporter with counsel Tim Atkinson, Esq.

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**Clinton Britt**  
**Application Denial**

Mr. Britt was present and sworn in by the court reporter.

**MOTION:** Mr. Tibbs made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Thomas.

Motion passed unanimously.

**Otto Curbelo**  
**Application Denial**

Mr. Curbelo was present and sworn in by the court reporter.

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Kevin Glaude**  
**Application Denial**

Mr. Glaude was present and sworn in by the court reporter.

**MOTION:** Mr. Tibbs made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

**Frank Gonsalves**  
**Application Denial**

Mr. Gonsalves was present and sworn in by the court reporter.

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Edgar Nieves**  
**Application Denial**

Mr. Nieves was present and sworn in by the court reporter.

**MOTION:** Mr. Flaherty made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**Billy Turner**  
**Application Denial**

Mr. Turner was present and sworn in by the court reporter. Mr. Turner provided documents amending the application for the business name to Turner Electrical Service , LLC.

**MOTION:** Mr. Tibbs made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

**Reconsiderations – Deborah Loucks, Assistant Attorney General**

**All Star Professional Training – Electrician Continuing Education Renewal – 6 hours**

**MOTION:** Mr. Bramlett made a motion to grant the reconsideration and approve the application for 6 hours.

**SECOND:** Mr. Botknecht.

Motion passed unanimously.

**PROBATION COMMITTEE REPORT**

**MOTION:** Mr. Sandefer made a motion to accept the probation reports of Thomas Botlick, Frank Cardinale, Robert Gralak, Fernando Loza and Robert Streath.

**SECOND:** Mr. Hoffmann.

Motion passed unanimously.

Mr. Sandefer asked staff to open a case for failure to comply on Leonard Handsel due to unpaid fines and costs and to contact Larry Evers regarding incomplete probation reports.

**LEGISLATIVE REPORT**

None

**RULES REPORT – Clarence K. Tibbs**

**MOTION:** Mr. Tibbs made a motion to withdraw rule 61G6-10.0065, F.A.C.

**SECOND:** Mr. Thomas.

Motion passed unanimously.

**MOTION:** Mr. Tibbs made a motion to approve the Departments proposed forms ECLB 1-12.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

**MOTION:** Mr. Tibbs made a motion to approve language proposed rule language for rule 61G6-5.004, F.A.C., 61G6-5.010, F.A.C. and 61G6-5.003, F.A.C. for development.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

The Board stated no Statements of Estimated Regulatory Costs were required, there was no adverse impact and there was no financial impact of \$200,000 or more.

**61G6-5.004 Requirement for Business Organizations.**

(4) For purposes of complying with Section 489.522(2)(c), F.S., a primary qualifying agent shall ~~submit a notarized letter from a bank official concerning~~ affirm he/she has chief financial officer to demonstrate the applicant has the authority for approving checks, payments, drafts and contracts on behalf of the business organization.

**61G6-5.010 Statement of Authority.**

Any person applying for the issuance of a certificate or registration to engage in contracting in other than his/her individual capacity, or any registrant or certificate holder applying to qualify a partnership, corporation, business trust or other legal business entity shall affirm furnish as part of his application a statement that he/she is responsible for supervision of all operations of the business organization; including, all field work at all sites and financial matters (both in general and for each specific job). ~~legally qualified to act for the business organization in all matters connected with its contracting business and that he has authority to supervise construction undertaken by such business organization.~~

~~(1) If he is qualifying a partnership such statement shall be signed by all partners or, in the event of a limited partnership, by the general partners.~~

~~(2) If he is qualifying a corporation, such statement shall be contained in a copy of the official minutes of that corporation, certified and attested to by its secretary.~~

~~(3) If he is qualifying a business trust, joint venture or any other legal business entity, such statement shall be signed by the trustees, or by such other persons as will legally bind that business entity.~~

**61G6-5.003 Requirements for Certification.**

(1) Any person desiring certification by examination or applying for certification by endorsement pursuant to Section 489.511(5)(a), F.S., must establish that he or she meets eligibility requirements according to one of the following criteria:

(a) Has, within the 6 years immediately preceding the filing of the application, at least 3 years' proven management experience in the trade or education equivalent thereto, or a combination thereof, but not more than one-half of such experience may be educational equivalent.

1. An applicant for certification who is a recipient of a degree in engineering or related field from an accredited four-year college or university may substitute his or her educational background for 1 year of experience in the trade as an electrical contractor or an alarm contractor, provided that the applicant causes the college or university he or she attended to forward a copy of his or her transcript to the Department.

2. The experience required must include:

a. For an electrical contractor, at least 40% of work that is 3-phase service;

b. For an alarm contractor I, at least 40% of work that is in commercial fire alarm systems;

Electrical Contractors' Licensing Board  
Meeting Minutes  
September 2011

c. For an alarm contractor II, at least 40% of work in alarm systems other than fire alarm systems.

(b) Has, within the 8 years immediately preceding the filing of the application, at least 4 years' experience as a foreman, supervisor, or contractor in the trade for which he or she is making application. The experience must include:

1. For an electrical contractor, at least 40% of work that is 3-phase service;
2. For an alarm contractor I, at least 40% of work that is in fire alarm systems;
3. For an alarm contractor II, at least 40% of work in alarm systems other than fire alarm systems.

(c) Has, within 12 years immediately preceding the filing of the application, at least 6 years of comprehensive training, technical education, or broad experience associated with an electrical or an alarm system installation or servicing endeavor. The experience required must include:

1. For an electrical contractor, at least 40% of work that is 3-phase service;
2. For an alarm contractor I, at least 40% of work that is in fire alarm systems;
3. Alarm contractor II, at least 40% of work in alarm systems other than fire alarm systems.

(d) Has been licensed for 3 years as an engineer within the preceding 12 years.

(2) Every applicant must submit:

(a) A comprehensive financial statement reflecting the financial condition of the individual applicant during the previous fiscal year; provided, however, that the statement must have been prepared within 12 months of the date of filing of the application. The financial statement shall include a balance sheet.

(b) A credit report on the applicant from any recognized credit bureau which includes but is not limited to liens, judgments, suits and bankruptcy obtained from the county, state and federal records. The credit report must be dated within 12 months of the date of filing the application. Reports which are limited to only information that has been obtained from the applicant or past and present employers are not acceptable.

(3) All applicants attempting to demonstrate qualification by experience pursuant to Section 489.511(2)(a)3.a., b., c., F.S., must forward the following to the Board:

(a) A complete list of contracts by the applicant underway at the time of filing, along with a representative list of electrical contracts or alarm contracts, as applicable, completed in the requisite number of years preceding the date of application pursuant to the applicable part of the statute noted above. The list shall include the description of each job, location, owner, architect or engineer, and general contractor. If the applicant has been employed by a Florida Certified Electrical, Alarm or Specialty contractor for the requisite number of years preceding the date of application, he/she may have that licensee verify they meet the requirements pursuant to the applicable part of the statute noted above on a form prescribed by the Department in lieu of providing a list of contracts.

(b) Statements prepared and signed ~~in the presence of a notary~~ by some person or persons other than the applicant for licensure by examination or endorsement listing chronologically the active experience of the applicant ~~for examination~~ in the trade. The statements shall include the name and address of employers, and dates of employment, along with copies of W-2 forms must be submitted with the application.

(4) A credit report on the qualifying agent from any recognized credit bureau which includes but is not limited to liens, judgments, suits and bankruptcy obtained from county, state and federal records. The credit report must be dated within twelve (12) months of the date of filing the application. Reports which are limited to only information that has been obtained from the qualifying agent or past and present employers are not acceptable.

*Rulemaking Authority 489.507(3) FS. Law Implemented 489.505(12), (21), (22), 489.511(2), 489.521 FS. History--New 1-2-80, Amended 4-17-80, 10-4-84, Formerly 21GG-5.03, Amended 12-24-87, 7-9-89, 3-13-90, 11-26-90, 7-8-91, Formerly 21GG-5.003, Amended 3-20-94, 11-30-94, 7-13-95, 1-18-96, 9-22-97, 10-1-03, 12-6-10, 7-17-11.*

## **FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs**

Ms. Chastain directed the Board's attention to the fourth quarter financials.

## **UNLICENSED ACTIVITY (ULA) REPORT – Paul Sandefer**

No report given.

Board requested a representative from Regulation be invited to attend their next meeting and asked why they no longer receive unlicensed activity case information from the Office of the General Counsel.

#### **EXAMINATION REPORT – Kenneth Hoffmann**

The Board received a copy of the July and August 2011 computer based exam statistics.

#### **ENDORSEMENT REPORT**

No changes.

Ms. Christie informed the Board that Georgia no longer accepts Florida's EC license for endorsement due to differences in the scope of the licenses.

#### **RATIFICATION OF APPLICATIONS**

The lists will be attached to the minutes and are hereby incorporated by reference. (Lists are attached as exhibits A, B & C).

**MOTION:** Mr. Tibbs made a motion to accept the lists as presented.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

See Exhibits A, B & C.

#### **APPROVAL OF MINUTES**

**MOTION:** Mr. Tibbs made a motion to approve the May 2011 and July 2011 ECLB Minutes.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

#### **OLD BUSINESS/ NEW BUSINESS**

The Board reviewed a request from Mr. John D. Robinson re: Case # 2009-043536 to extend the time he has to pay under the final order in case.

**MOTION:** Mr. Tibbs made a motion to extend the payment time 1 year.

**SECOND:** Mr. Flaherty.

Motion passed unanimously.

#### **PROSECUTING ATTORNEY'S REPORT – LeChea Parson, Esq., Assistant General Counsel**

Ms Parson directed the Board's attention to the details of the report which was distributed to the members. The report included case information as of September, 2011.

**MOTION:** Mr. Thomas made a motion to continue prosecution of year old cases.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**BOARD COUNSEL'S REPORT – Deborah Loucks, Esq., Assistant Attorney General**

Ms. Loucks provided the Board with a memorandum from the Office of the Governor regarding the recent the Florida Supreme Court decision on Executive Order 11-72 and the Office of Fiscal Accountability and Regulatory Reform.

**PROBABLE CAUSE PANEL PUBLIC CASES**

**Himes, John Klee**  
**Case # 2010-38356**

Ms. Parson withdrew this case from the agenda.

**Motley, Kenneth**  
**Case # 2010-057335**

Ms. Parson directed the panel members to a new letter from City Electric Supply.

**MOTION:** Mr. Thomas made a motion to close the case with no further prosecution.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

**Tobares, Fernando**  
**Case # 2010-041570**

**MOTION:** Mr. Thomas made a motion to close the case with no further prosecution.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

**EXECUTIVE DIRECTOR'S REPORT – Juanita Chastain**

Ms. Chastain directed the Board's attention to the enforcement report and the proposed meeting dates which were provided for their information.

**CHAIRPERSON'S COMMENTS – Kenneth Hoffman**

Mr. Hoffmann presented Mr. Flaherty with a plaque commemorating his time as Chairman of the Board.

**Adjournment.**