

## Construction Licensing Enforcement and Appeals Board

March 6, 2018

The meeting was called to order at 7:01 pm. In the Highlands County Board of County Commission Chambers at 600 S. Commerce Ave., Sebring Florida, with the following members present: Curtis Weldy, Terry Webster, Rob Horne, John Palmer, Troy Maloyed, J.C. Shoop and Chairman Scott LeConey.

1. Troy Maloyed made motion to approve the minutes from the February 6, 2018 meeting, seconded by J.C. Shoop and passed by unanimous vote.
2. The agenda was rearranged moving agenda item 3 to be heard first to accommodate an interpreter present for this item.
3. Business
  - A. Complaint filed by Rufino and Fidelia Munoz against M&M Construction.

Through interpreter Mrs. Munoz stated that contractor lied from the beginning of the project, that work agreed to was not in contract and that this work was not performed. She also stated that on February 7, 2018 contractor had stated that work was complete and was threatening and angry. Chairman pointed out that construction draws and final affidavit stating that all work was complete were signed by Mrs. Munoz. Troy Maloyed added that documentation was signed by Mrs. Munoz that no change orders were applicable. Mrs. Munoz said that a box for piping, a possible screen-room and a repair of a garage door were agreed to but not put in contract. Chairman LeConey suggested that work not specified in the contract would be a contractual dispute that would be a civil matter and would not be able to be addressed by this board. Attorney Mr. Cliff Ables spoke on behalf of M&M Construction. He distributed copies of the contract, specifications, final affidavit and change orders for this project. He stated that change orders agreed to and completed have not been paid for. He confirmed Chairman LeConey' assessment that this was a contractual dispute and a civil matter to be addressed by a court of law and that as far as this board was concerned all contracted work was complete with owner authorization of final payment. Troy Maloyed made motion to dismiss complaint seconded by Terry Webster and passed by unanimous vote. Building Official then advised Mrs. Munoz of her right to pursue contract dispute through civil court action.
  - B. Applicant Ramos Cruz applying for Handyperson registration.

Mr. Cruz spoke to his experience in the construction industry. Curtis Weldy asked what type of work Mr. Cruz intended to perform with this license. Through this discussion it was determined that a Handyperson registration was not going to suffice for Mr. Cruz intended scope of work. Board recommended that Mr. Cruz research what other licensure would cover intended scope of work and apply for that licensure. Motion was made to deny by J.C. Shoop seconded by Troy Maloyed and passed by unanimous vote. Mr. Cruz will get with building department to assist in research and reapplication.
  - C. Complaint filed by Linda and Thomas Rose against Jemy Construction LLC.

Mr. Rose distributed information to Board containing photos of work project. He then directed discussion of the photos and the contract. The contract states removal of old seawall and replacing with new and repairs of existing decking with all engineered plans and permitting. Complaint is that old seawall was not removed, permits were never obtained and poor workmanship. All complaints were documented by photos and permit was never obtained. No one representing Jemy Construction was present at the meeting. Building Official was asked if Jemy Construction was informed of the meeting. Building Official stated that it was normal procedure to issue notice to appear through certified mail but could not confirm if this was done. Motion was made by Troy Maloyed to suspend local registration and permitting privileges of Jemy Construction immediately until appearance before the Board contingent on notification of notice to appear. Motion was seconded by J.C. Shoop and passed by unanimous vote.
  - D. The next meeting date was set for April 3, 2018.
  - E. With no further business, the meeting was adjourned at 8:30 pm.

Respectfully submitted,



Building Official