

Latest Engineer Discipline

In the last few months, the Board has formally approved the following enforcement cases based on the Florida Statutes and Rules applicable at the time of the violation. Included is a brief description of the licensee's violation and discipline imposed by the Board. You can access the final orders for these cases and other recent engineer disciplines on our website under the Legal section at <https://fbpe.org/legal/disciplinary-actions>.



Julio C. Banks

PE 46544

Case Nos. 2015032603 & 2015036080

Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, sealed, and dated two Residential/Architect Letters of Compliance which indicated that licensee had personally inspected the construction of a roof for a porch as well as the enclosure of a patio/porch and that the structures were in compliance with the FBC-R. The Letter of Compliance is a Certification as defined in Rule 61G15-18.011(4), FAC. Upon inspection of the roof work by a state licensed building inspector, it was noted that the work being performed was not complete as stated in the Certification. Additionally, the Certification noted that “the dead load of the wood frame provides sufficient resistance against wind inducted lift forces—this was grossly incorrect. Upon inspection of the porch enclosure by the Building Department a stop work order was issued and the enclosure was demolished. During demolition of this enclosure, the Building Department, during a site visit, observed that there was no foundation under the masonry walls and that the slab edge did not have any reinforcing steel, both of which are contrary to the Certification that the enclosure was in compliance with the FBC-R.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$2,513.70, a Reprimand, Appearance, Licensee is SUSPENDED for a period of two years from the date of the Final Order. At the end of the period of suspension, Licensee shall APPEAR prior to reinstatement which is not guaranteed, a Board-approved course in Advanced Engineering Professionalism and Ethics and the Board's Study Guide. A Final Order was issued on December 9, 2016.

Violation: Section 471.031(1)(g), Florida Statutes

DWR Architecture & Engineering, Inc.

Unlicensed

Case No. 2015023010

The unlicensed company was charged with violating Sections 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes; offering to practice engineering without a license. The company offered and provided engineering services to the public, without the approval of the Professional Engineer, by issuing purportedly sealed and signed engineering inspection reports under the title block of the company who does not hold a Certificate of Authorization; additionally the Company utilized business cards which reflect that the company offered engineering services to the public through a licensed Professional Engineer without a Certificate of Authorization.

Ruling: The case was presented to the full Board upon a Motion for determination that Respondent forfeited his right to an administrative hearing. The Board imposed an Administrative Fine of \$5,000 and Costs of \$278.85. A Final Order was issued on January 4, 2017.

Violation: Sections 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes

DISCLAIMER: The FBPE would like to note that every effort has been made to ensure the accuracy of discipline information; however this should not be relied upon without verification from the Board office or website. It is possible that names of companies and individuals listed may be similar to the names of parties who **HAVE NOT** been disciplined or had compliant actions taken against them, so we encourage you to review licensee information on www.myfloridalicense.com, contact our office or make a public records request should you have any specific questions regarding disciplinary actions. Public records requests can be sent to publicrecords@fbpe.org.