

**Minutes for  
The Florida Board of Professional Engineers  
April 12, 2023 beginning at 1:00 p.m. or soon thereafter and  
April 13, 2023 beginning at 8:30 a.m., or soon thereafter  
Tampa, FL**

**Part I – Wednesday, April 12, 2023**

A. Call to Order, Invocation and Pledge of Allegiance

Mr. Albergo called the meeting to order. Ms. Raybon called roll.

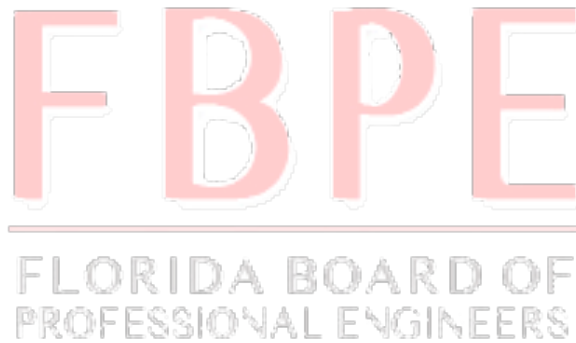
B. Roll Call, Determination of Quorum, and Address Absences.

**Board Members Present:**

Dylan Albergo, P.E., Chair  
Pankaj (PJ) Shah, P.E., Vice Chair  
Sam Mousa, P.E.  
Jeb Mulock, P.E.  
Yassi Myers, P.E.  
John Pistorino, P.E., S.I.  
Denise Ramsey, P.E.  
Christopher Dawson, Public Member  
James Gonzalez, Public Member

**Board Members Absent:**

Babu Varghese, P.E., S.I.



**Attorney General's Office:**

Lawrence Harris, Sr. Assistant Attorney General, Counsel to the Board

**Staff Members Present:**

Zana Raybon, Executive Director  
John J. Rimes, III, Chief Prosecuting Attorney  
Rebecca Sammons, Assistant Executive Director

Upon motion by Ms. Myers, seconded by Mr. Shah, to excuse the absence of Mr. Varghese, the motion passed.

C. Introduction of guests and announcements as to presentations at a time certain

Angelina Fairchild, P.E., FES  
Art Nordlinger, P.E.

Andy Zoutewelle, PLS, NCEES president-elect candidate  
Rick Morrison, DBPR-FEMC Contract Monitor

D. FBPE Mission and Scope

#1. FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

#2. FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that govern the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

E. Approval of the Agenda

Upon motion by Ms. Myers, seconded by Ms. Ramsey, to approve the agenda, the motion passed.

F. Approval of Consent Agenda

Upon motion by Mr. Shah, seconded by Ms. Myers, to approve the agenda, the motion passed.

#1. Minutes from February 7-8, 2023 FBPE Board Meeting

Approved under consent agenda.

#2. Minutes from March 15, 2023 FBPE Probable Cause Panel Meeting

Approved under consent agenda.

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: May 10, 2023, at 8:30 am via video conference – Panel A)**

(Panel A: Robert Matthews, P.E., Chair; John Pistorino, P.E., S.I.;) and (Panel B: Robert Matthews, P.E., Chair; Denise Ramsey, P.E.; John Pepper, P.E., S.I.) (Kevin Fleming – alternate for both panels)

(a) Committee Chair's Report.

#2. Applications Review **(Next Meeting: May 10, 2023, at 1 pm via video conference)**

(Babu Varghese, P.E., S.I., Chair; Dylan Albergo, P.E.; Sam Mousa, P.E., Jeb Mulock, P.E.; Yassi Myers, P.E.; John Pistorino, P.E., S.I.; Denise Ramsey, P.E.; PJ Shah, P.E.; Christopher Dawson, Public Member; James Gonzalez, Public Member)

(a) Committee Chair's Report.

(b) Application Review – Education and Experience will be done at one time and ratified the following day (Thursday morning)

#3. Rules Committee **(Next Meeting: August 2, 2023 at 9am)**

(Denise Ramsey, P.E., Chair; James Gonzalez, Public Member; Yassi Myers, P.E.; John Pistorino, P.E., S.I.)

(a) Committee Chair's Report.

#4. Special Inspector Rules Committee **(Next Meeting: April 17, 2023 at 2pm via video conference)**

(Dylan Albergo, P.E., Chair; John Pistorino, P.E., S.I.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

#5. Joint FBPE-FBC Committee **(Next Meeting: TBD)**

(John Pistorino, P.E., S.I., Chair; Denise Ramsey, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

H. NCEES

(Dylan Albergo, P.E., FBPE Liaison)

#1. NCEES All Zone Meeting - April 27-29, Houston, TX

Ms. Raybon discussed the upcoming all zone meeting.

Mr. Zoutewelle addressed the board about his campaign for NCEES president elect. Discussion followed.

Upon motion by Mr. Mulock, seconded by Mr. Shah, to delegate authority to vote on matters at the meeting to Mr. Albergo, the motion passed.

#2. Appoint Three Funded Delegates for 2023 NCEES Annual Meeting – Boston, MA – August 15-18 (all new board members can attend as first-time attendees)

Mr. Albergo and Ms. Raybon discussed the NCEES annual meeting. Discussion followed.

The three funded delegates will be Mr. Albergo, Ms. Ramsey, and Mr. Shah. Mr. Gonzalez will attend as a first-time attendee funded by NCEES.

I. Advisory Attorney's Report

#1. Rules Report

Mr. Harris presented the Rules report for the board's review and consideration.

#2. Public Hearing on **Rule 61G15-20.0011 – Structural Recognition Program**

Mr. Harris presented the proposed rule change for Rule 61G15-20.0011. Discussion followed.

Upon motion by Mr. Mousa, seconded by Mr. Shah, to approve the proposed language and application as amended, the motion passed.

#3. Public Hearing on **Rule 61G15-21.007 - Re-examination; Additional Requirements After Third Failure; Examinations in Additional Disciplines**

Mr. Harris discussed the proposed rule amendments and reasoning behind them. Discussion followed.

Ms. Raybon stated that she will talk to DBPR about the rule and adding this to their 2024 legislative package.

Upon motion by Ms. Myers, seconded by Ms. Ramsey, to open the rule for development and propose the rule amendments as shown in the meeting materials, the motion passed.

Upon motion by Mr. Mulock, seconded by Ms. Myers, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule cannot be resolved through issuance of a notice of noncompliance does not apply to this rule, and to use the standard sunset language for this rule, the motion passed.

#4. Public Hearing on **Rule 61G15-19.004 - Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances**

Mr. Harris discussed the proposed rule amendments. Discussion followed.

This item was pulled and will be sent to the May Rules meeting for further review and action.

**#5. Public Hearing on Rules 61G15-32.004, .005, .006, .007 and .008**

Mr. Harris discussed the proposed rule amendments and the response letter. Discussion followed.

Upon motion by Ms. Ramsey, seconded by Ms. Myers, to approve the proposed rule amendments as presented in the meeting materials and authorize Mr. Harris to respond, the motion passed.

Upon motion by Ms. Ramsey, seconded by Ms. Myers, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule cannot be resolved through issuance of a notice of noncompliance does not apply to this rule, and to use the standard sunset language for this rule, the motion passed.

**#6. Discussion on Rule 61G15-23.001 – Signature, Date and Seal Shall Be Affixed (from March 2023 PCP Meeting)**

Ms. Ramsey discussed this item. This item was referred to the Rules committee for review and action.

**J. Executive Director's Report**

**#1. Final Renewal Update**

Ms. Raybon gave a final report on renewal and discussed mandatory CE reporting.

**#2. Discussion on Delinquent PE's and putting list on website or sending list to building officials**

Ms. Raybon discussed the option of putting a list on our website that shows all the engineers that are delinquent or providing a list to the building officials. Discussion followed.

The board decided that providing a list of delinquent PEs to the building officials at their annual conference would be appropriate and asked staff, if possible, to provide the

same list to planning and development review group in local jurisdictions, water management district, and DOT offices.

#3. 2023 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

#4. Proposed 2024 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

K. Chief Prosecutor's Report

#1. 300-day report

Provided for informational purposes.

#2. Profile of legal cases by year

(a) Cases open for 1 year plus

Provided for informational purposes.

(b) Total open cases by year

Provided for informational purposes.

#3. Non-Compliance Report

Provided for informational purposes.

#4. Open case report

Provided for informational purposes.

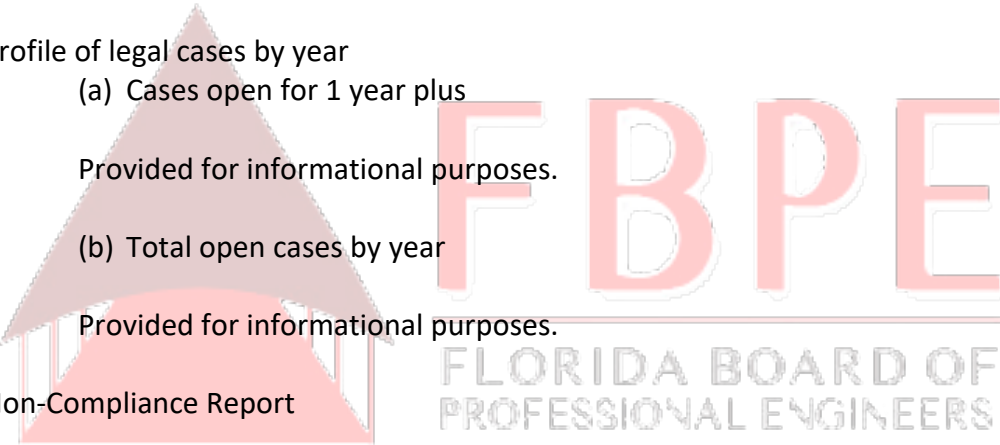
L. Engineering Association and Society Reports

#1. FSEA

#2. FES

#3. IEEE

#4. ASCE



## M. Chair's Report

Mr. Albergo discussed the PCP panels and decided to have one PCP panel composed of Mr. Matthews, Mr. Pistorino, and Ms. Ramsey.

## N. Action Items from Previous Board Meetings

Mr. Pistorino talked about an individual who attended a previous board meeting and discussed roofing tiles. Discussion followed.

Mr. Albergo appointed a committee to investigate this issue, and he appointed Mr. Pistorino as chair of the committee. Mr. Dawson was also named to the committee.

## O. Correspondence to the Board

### #1. Email from Paul Benvie – Re: CE credit for serving on Building and Zoning Oversight Committee

Mr. Harris discussed the email and the request from the licensee. Discussion followed.

The board stated that serving on this committee did not qualify for CE credits.

### #2. Email from Lindsey Porter, P.E. – Re: Notice of Non-Compliance

Mr. Rimes discussed this item. Discussion followed.

The board decided that it didn't have enough information to make a determination. The board decided it should be determined on a project-by-project analysis.

### #3. Email from Warren Schaefer, P.E. – Re: Misuse of Florida certifications in Texas

Mr. Harris discussed this issue. Discussion followed.

The board decided to take no action on this item.

## P. Public Forum

## Q. Community Involvement

R. Review of Applications – Education and Experience will be done at one time and ratified at the Thursday morning board meeting on April 13, 2023 – in separate meeting book

## Part II

## Informal Hearing Agenda (Thursday, April 13, 2023)

### Review of FBPE Mission and Scope:

FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that govern the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

### S. Ratification of Actions from Application Review, April 12, 2023

Upon motion by Ms. Ramsey, seconded by Mr. Mulock, to approve the ratification list as amended, the motion passed.

### T. Informal Hearing on Denial of Application for Licensure as Professional Engineer

#### #1. Mohammadmehdi Armandei

Mr. Harris explained the basis of denial. The basis for denial is experience. Mr. Armandei lacks 48 months of experience. Graduate degrees cannot count for experience as they are not from an EAC/ABET program in the US (refer to Rule 61G15-20.002(2)).

Upon motion by Mr. Pistorino, seconded by Ms. Myers, that Mr. Armandei was properly served with the Notice of Intent to Deny and filed an Election of Rights or other responsive pleadings within the time period required by law to convene a 120.57(2) hearing not involving disputed issues of fact after the voluntary dismissal of the DOAH petition and remand from DOAH, to accept the complete application and DOAH files, including any supplemental materials provided by Mr. Armandei, into the record, to adopt the factual allegations contained within the Notice of Intent to Deny as the Board's findings of facts, to adopt the legal conclusions contained in the Notice of Intent to Deny as the Board's conclusions of law, and find the facts adequately support the denial of the application for Florida licensure, and to deny the application for Florida licensure and to stay this decision for seven days, to direct staff to contact the applicant and to offer the option to withdraw the application in writing, the motion passed.

#### #2. Mariusz Baginski

Mr. Baginski was present and sworn in prior to addressing the board. Mr. Harris explained the basis for the denial. The basis for denial was education and exams. Mr. Baginski lacks an engineering degree and has not passed both the FE and PE exams.



Mr. Baginski addressed the board. Discussion followed.

Mr. Baginski requested to withdraw his application.

Upon motion by Mr. Dawson, seconded by Ms. Myers, to reconsider and vacate the notice of intent to deny and allow the withdrawal of the application, the motion passed.

### #3. Victor Londono

Mr. Londono was present and sworn in prior to addressing the board. Mr. Harris explained the basis for the denial. The basis for denial is experience. Mr. Londono lacks 48 months of experience.

Mr. Londono addressed the board. Discussion followed.

Upon motion by Mr. Mulock, seconded by Mr. Shah, to reconsider and vacate the notice of intent to deny and approve the application, the motion passed.

### #4. Pamela Peralta

Ms. Peralta was present and sworn in prior to addressing the board. Mr. Harris explained the basis for the denial. The basis for denial is experience. Ms. Peralta lacks 48 months of experience.

Ms. Peralta addressed the board. Discussion followed.

Upon motion by Ms. Ramsey, seconded by Ms. Myers, to reconsider and vacate the notice of intent to deny and allow the withdrawal of the application, the motion passed.

### #5. Osama Shahawy

Mr. Harris explained the basis of the denial. The basis for denial is education. Mr. Shahawy lacks 4hours of general education.

Upon motion by Ms. Ramsey, seconded by Ms. Myers, that Mr. Shahawy was properly served with the Notice of Intent to Deny and filed an Election of Rights or other responsive pleadings within the time period required by law to convene a 120.57(2) hearing not involving disputed issues of fact after the voluntary dismissal of the DOAH petition and remand from DOAH, to accept the complete application and DOAH files, including any supplemental materials provided by Mr. Shahawy, into the record, to adopt the factual allegations contained within the Notice of Intent to Deny as the Board's findings of facts,

to adopt the legal conclusions contained in the Notice of Intent to Deny as the Board's conclusions of law, and find the facts adequately support the denial of the application for Florida licensure, and to deny the application for Florida licensure and to stay this decision for seven days, to direct staff to contact the applicant and to offer the option to withdraw the application in writing, the motion passed.

U. Continuation of Informal Hearing on Denial of Application for Licensure as Professional Engineer

#1. Jeffery Harvey

Mr. Harris explained the basis of the denial and that Mr. Harvey appeared before the board at the February 2023 board meeting. Mr. Harris stated that the informal hearing at the February 2023 board meeting was continued until this meeting to allow Mr. Harvey to provide the items as directed by the board.

Upon motion by Mr. Mousa, seconded by Mr. Gonzalez, to reconvene the informal hearing and deny the application of Mr. Harvey, the motion passed.

V. Petition for Waiver and Variance of Rule 61G15-20.007 and act on PE Licensure Application

#2. Robert Houser

Mr. Harris discussed the petition and application. Discussion followed.

Upon motion by Mr. Shah, seconded by Ms. Ramsey, to approve the application based on 15/20 rule, the motion passed.

**Part III**  
**Disciplinary Hearings**  
**(Thursday, April 13, 2023)**

W. Settlement Stipulation

NOTE: Cases 1; 4 – 9 (which are CE cases) may be taken up as one single item unless any board member wishes to pull any case for individual consideration, or a Respondent wishes to address the board. It is understood that any member participating in PCP would be recused from the vote on that item – this agenda indicates the PCP member for each item.

Mr. Rimes outlined the facts of the CE cases as noted on the list below. The charges relate to a violation of §471.033(1)(a), F.S.: Violating ... any other provision of this chapter or rule

of the board or department. Rule 61G15-19.001(6)(s), F.A.C.: Renewing or reactivating a license without completion of Continuing Education (CE) hours.

Mr. Rimes suggested that: Cases 1 and 4-9 be taken up as one item, with any individual cases a member had questions about being pulled for separate action. Mr. Rimes further suggested that the materials provided indicated which member(s) would be recused from the vote due to participation in a Probable Cause Panel.

Upon motion by Mr. Shah, seconded by Mr. Mousa, to accept Cases 1, 4-9 settlement stipulations as presented with one vote, the appropriate board members serving on PCP being recused, and NO cases being pulled out for individual consideration; and that acceptance of the settlement stipulations in these cases does NOT constitute discipline on the licensee's Florida PE license as noted on the agenda and in the meeting materials, the motion passed.

#1. Crandall, Sean, P.E. (CE Case)

P.E. Number: 88066  
FEMC Case Number: 2022037571  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

#2. Glickman, David, P.E. (CE Case, Appearance)

P.E. Number: 77479  
FEMC Case Number: 2022039043  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1)(a), F.S.: Violating ... any other provision of this chapter or rule of the board or department. Rule 61G15-19.001(6)(s), F.A.C.: Renewing or reactivating a license without completion of Continuing Education (CE) hours. Mr. Rimes stated that Mr. Glickman was required to be present, but the board could accept the settlement stipulation without him being present.

The Probable Cause Panel recommendation was an administrative complaint, administrative costs of \$97.50, appearance before the board to discuss how this situation occurred, what improvements and quality control measures will be implemented to prevent this circumstance from occurring in the future, complete the Auburn P&E Course, and successful completion of the Board's Study Guide.

The Settlement Stipulation is the same as the PCP recommendation.

Upon motion by Mr. Shah, seconded by Ms. Myers, to accept the settlement stipulation without the required appearance, the motion passed.

#3. Latimer, R. Michael, P.E.

P.E. Number: 41970  
FEMC Case Number: 2022002517  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering.

The Probable Cause Panel recommendation was an administrative fine of \$1,000.00, administrative costs of \$3,169.65, reprimand, complete the Auburn P&E Course, and successful completion of the Board's Study Guide.

The Settlement Stipulation is the same as the PCP recommendation.

Upon motion by Mr. Mulock, seconded by Mr. Shah, to accept the settlement stipulation, the motion passed.

#4. McConnell, Kevin, P.E. (CE Case)

P.E. Number: 68783  
FEMC Case Number: 2022050088  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn

#5. Moos, Thomas, P.E. (CE Case)

P.E. Number: 84525  
FEMC Case Number: 2022052643  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn

#6. Shappley, Kenneth, P.E. (CE Case)

P.E. Number: 83794  
FEMC Case Number: 2022054254  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn

#7. Silar, Vaughn, P.E. (CE Case)

P.E. Number: 51248  
FEMC Case Number: 2022046972  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn

#8. Wantman, David, P.E. (CE Case)

P.E. Number: 71093  
FEMC Case Number: 2022046989  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn  
Represented by: Leora Freire, Esq.

#9. Wiley, Gregory, P.E. (CE Case)

P.E. Number: 68879  
FEMC Case Number: 2022051287  
Probable Cause Panel Date: January 18, 2023  
Probable Cause Panel: Matthews, Pistorino, & Hahn

X. Default

#10. Aburahmah, Ahmed, P.E. (CE Case)

P.E. Number: 48619  
FEMC Case Number: 2021047412  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1)(a), F.S.: Violating ... any other provision of this chapter or rule of the board or department. Rule 61G15-19.001(6)(s), F.A.C.: Renewing or reactivating a license without completion of Continuing Education (CE) hours.

Probable Cause was found on November 02, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on November 14, 2022.

Respondent failed to respond to any of Petitioner's attempts at Service of Process of the Administrative Complaint. Therefore, on January 13, 2023, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent's Right to an Administrative Hearing Under Sections 120.569 and 120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*

The PCP recommendation was an administrative complaint, administrative costs of \$173.55, complete the Auburn P&E Course, and successful completion of the Board's Study Guide.

Upon motion by Mr. Mousa, seconded by Mr. Shah, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board's

findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board's conclusions of law, the motion passed.

Upon motion by Mr. Shah, seconded by Ms. Myers, to accept the recommendation of PCP for penalty, the motion passed.

#11. American Marine Engineering

P.E. Number: Unlicensed  
FEMC Case Number: 2021027471  
Probable Cause Panel Date: November 09, 2021  
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.023, FS: Firm offering engineering services without proper registration.

Probable Cause was found on November 09, 2021, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on November 29, 2021.

Respondent failed to respond to any of Petitioner's attempts at Service of Process of the Administrative Complaint. Therefore, on December 01, 2022, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent's Right to an Administrative Hearing Under Sections 120.569 and 120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*

The PCP recommendation was an administrative fine of \$ 5,000.00 and administrative costs of \$120.90 for the firm.

Upon motion by Ms. Myers, seconded by Mr. Dawson, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board's findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board's conclusions of law, the motion passed.

Upon motion by Mr. Mulock, seconded by Ms. Myers, to accept the recommendation of PCP for penalty, the motion passed.

#12. Carter, James, P.E. (CE Case)

P.E. Number: 53268  
FEMC Case Number: 2022034964  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 455.275(1) and (2), FS: Failure to notify the Board of the licensee's current mailing address and email address. Section 471.033(1)(a), F.S.: Violating ... any other provision of this chapter or rule of the board or department. Rule 61G15- 19.001(6)(s), F.A.C.: Renewing or reactivating a license without completion of Continuing Education (CE) hours.

Probable Cause was found on November 02, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on November 14, 2022.

Respondent failed to respond to any of Petitioner's attempts at Service of Process of the Administrative Complaint. Therefore, on January 13, 2023, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent's Right to an Administrative Hearing Under Sections 120.569 and 120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*

The PCP recommendation was an administrative fine of \$1,000.00, administrative costs of \$48.75, reprimand, suspension of license until all requirements have been met, appearance before the Board to discuss how this situation occurred, what improvements and quality control measures will be implemented to prevent this circumstance from occurring in the future, complete the Auburn P&E Course, and successful completion of the Board's Study Guide.

Upon motion by Mr. Dawson, seconded by Mr. Mulock, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board's findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board's conclusions of law, the motion passed.

Upon motion by Mr. Mulock, seconded by Mr. Shah, to accept the recommendation of PCP for penalty, the motion passed.

#13. Hensley, Kevin

P.E. Number:	Unlicensed
FEMC Case Number:	2020054384
Probable Cause Panel Date:	July 13, 2022
Probable Cause Panel:	Matthews, Ramsey, & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.031(i) (a), F.S.: A person may not practice engineering unless the person is licensed or exempt from licensure.



Probable Cause was found on July 13, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation (“DBPR”) on July 29, 2022.

Respondent failed to respond to any of Petitioner’s attempts at Service of Process of the Administrative Complaint. Therefore, on December 09, 2022, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent’s Right to an Administrative Hearing Under Sections 120.569 and 120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*

The PCP recommendation was an administrative fine of \$ 5,000.00 and administrative costs of \$267.00.

Upon motion by Mr. Mousa, seconded by Mr. Gonzalez, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board’s findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board’s conclusions of law, the motion passed.

Upon motion by Mr. Mulock, seconded by Mr. Shah, to accept the recommendation of PCP for penalty, the motion passed.

#14. Kelley, Michael, P.E.

P.E. Number: 45914  
FEMC Case Number: 2021015640  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering.

Probable Cause was found on November 02, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation (“DBPR”) on November 14, 2022.

Respondent failed to respond to any of Petitioner’s attempts at Service of Process of the Administrative Complaint. Therefore, on January 13, 2023, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent’s Right to an Administrative Hearing Under Sections 120.569 and 120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*



The PCP recommendation was an administrative complaint, administrative fine of \$5,000.00, administrative costs of \$1,326.20, reprimand, complete the Auburn P&E Course, and successful completion of the Board's Study Guide.

Upon motion by Ms. Myers, seconded by Mr. Dawson, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board's findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board's conclusions of law, the motion passed.

Upon motion by Mr. Mousa, seconded by Mr. Shah, to accept the recommendation of PCP for penalty, the motion passed.

#15. Landers, Edward, P.E.

P.E. Number: 38398  
FEMC Case Number: 2021023076  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

#16. Landers, Edward, P.E.

P.E. Number: 38398  
FEMC Case Number: 2022019305  
Probable Cause Panel Date: November 02, 2022  
Probable Cause Panel: Matthews, Ramsey & Pepper

Mr. Rimes asked that items #15 - FEMC Case Number: 2021023076 and #16 - FEMC Case Number: 2022019305 be combined into one case. Mr. Rimes outlined the facts of the cases Section 471.033(1)(k), F.S.: Violating any order of the board or department previously entered in a disciplinary hearing. Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering and Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering.

Case# 2021023076 and 2022019305 - Probable Cause was found on November 02, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on November 14, 2022.

Respondent failed to respond to any of Petitioner's attempts at Service of Process of the Administrative Complaint. Therefore, on January 13, 2023, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent's Right to an Administrative Hearing Under Sections 120.569 and*

*120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*

Case# 2021023076 PCP recommendation was administrative complaint, administrative fine of \$5,000.00, and administrative costs of \$6,540.40. PCP recommendation for Case # 2022019305 was administrative complaint, administrative fine of \$5,000.00, administrative costs of \$8,517.00, and revocation.

Upon motion by Mr. Dawson, seconded by Mr. Gonzalez, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board's findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board's conclusions of law, the motion passed.

Upon motion by Mr. Dawson, seconded by Mr. Mousa, to accept the recommendation of PCP for penalty, the motion passed.

#17. South Florida Expedites, LLC

P.E. Number: Unlicensed  
FEMC Case Number: 2020048355  
Probable Cause Panel Date: January 12, 2022  
Probable Cause Panel: Matthews, Varghese & Hahn

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.023, F.S.: Offering engineering services without being qualified by a Licensed Professional Engineer and without being properly Registered.

Probable Cause was found on January 12, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on January 24, 2022.

Respondent failed to respond to any of Petitioner's attempts at Service of Process of the Administrative Complaint. Therefore, on December 01, 2022, Petitioner filed and served upon Respondent, via U.S. First Class Mail, its *Motion to Determine that Respondent has Forfeited Respondent's Right to an Administrative Hearing Under Sections 120.569 and 120.57(1), Florida Statutes, and to Convene Proceedings Under Sections 120.569 and 120.57(2), Florida Statutes.*

The PCP recommendation was an administrative fine of \$ 5,000.00 and administrative costs of \$995.00.

Upon motion by Mr. Mousa, seconded by Ms. Myers, to accept the entire investigative file of the case including the supplemental materials into evidence, that the Board adopt the findings of facts contained within the administrative complaint as the Board's

findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board's conclusions of law, the motion passed.

Upon motion by Ms. Ramsey, seconded by Ms. Myers, to accept the recommendation of PCP for penalty, the motion passed.

Y. Old Business

Z. New Business

Ms. Ramsey asked about adding a discussion item to the next Rules meeting about masters and double dipping.

AA. Adjourn

**Next Board Meeting: June 14-15, 2023**

**Embassy Suites by Hilton Tampa Airport Westshore  
555 N. Westshore Blvd, Tampa, FL 33609**

