

FILED

Florida Engineers Management Corp

CLERK Rebecca Valentino

DATE 05/02/2024

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK: Brandon Nichols
Date: 5/2/2024
File #: 2024-03898

**STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS**

FLORIDA BOARD OF
PROFESSIONAL ENGINEERS,

Petitioner,

v.

CASE NOS.: 2021015138 & 2021019185
LICENSE NO.: UNLICENSED

AMD GROUP, INC. AND
STEVE DELBRUNE,

Respondents.

_____ /

FINAL ORDER

THIS consolidated cause came before the Florida Board of Professional Engineers (hereinafter “the Board”) pursuant to Sections 120.569 and 120.57(2), Florida Statutes, at a duly noticed public meeting on April 11, 2024, in Kissimmee, Florida, for consideration of the Amended Administrative Complaint (attached hereto as Exhibit A) in the above-styled causes. At the hearing, Petitioner was represented by John J. Rimes, III, Prosecuting Attorney. Neither Respondent was present nor represented by counsel.

FINDINGS OF FACT.

1. The Amended Administrative Complaint was properly served by Publication.
2. Both Respondents failed to timely or otherwise respond to the Amended Administrative Complaints.
3. The investigative file provided establishes the facts alleged in the Amended Administrative Complaint.
4. The facts set forth in the Amended Administrative Complaint are hereby adopted and incorporated by reference as the facts of the respective cases.

CONCLUSIONS OF LAW

5. Failure to timely respond to a properly served Administrative Complaint is deemed an admission of the alleged facts and a waiver of the right to request a hearing pursuant to Section 120.57(1), Florida Statutes.

6. The admitted facts constitute the violations set forth in the Amended Administrative Complaint, which are adopted and incorporated by reference as the conclusions of law in each respective case and for which the Board may impose discipline. It is, therefore,

ORDERED AND ADJUDGED:

Respondents **AMD Group, Inc. and Steve Delbrune** shall jointly and severally pay to the Board an **administrative fine of Five Thousand Dollars (\$5,000.00) AND costs of investigation and prosecution in the amount of Three Hundred Thirteen Dollars and ten cents (\$313.10)**, both within thirty (30) days of the effective date of this Final Order. It is Further


ORDERED that pursuant to sections 455.227(4) and 455.228(1), F.S., the Florida Board of Professional Engineers requests the Department of Business and Professional Regulation file a proceeding seeking issuance of an injunction or writ of mandamus against both Respondents to enjoin further unlicensed practice in this State. It is Further

ORDERED that pursuant to section 471.031(1)(a), F.S., the Florida Board of Professional Engineers requests this matter be referred to the appropriate State Attorney with a request that the State Attorney institute criminal proceedings against Respondents as specified in section 471.033(2), F.S.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 7 day of May,
2024.

**FLORIDA BOARD OF PROFESSIONAL
ENGINEERS**


Zana Raybon, Executive Director
on behalf Dylan Albergo, P.E. Chair

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 FLORIDA 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 Final Order has been provided by U.S. Mail and email to **AMD Group, Inc. and Steve Delbrune**, 5300 NE 4th Terrace, Ft. Lauderdale, Florida 33334 and stevedelbrune@gmail.com; by interoffice mail to **John J. Rimes, FEMC**, and **Board of Professional Engineers**, 2400 Mahan Drive, Tallahassee, Florida 32308; and by electronic mail to **Lawrence D. Harris**, Senior Assistant Attorney General, Lawrence.Harris@myfloridalegal.com this 3 day of May, 2024.



FILED
Florida Engineers Management Corp
CLERK Rebecca Valentine
DATE 01/22/2024

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK: Evette Lawson-Proctor
Date: 1/22/2024
File #:

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2021015138,2021019185

AMD GROUP INC. AND STEVE DELBRUNE

Respondents,
_____ /

AMENDED ADMINISTRATIVE COMPLAINT

COMES NOW the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner, Florida Board of Professional Engineers, hereinafter referred to as "Petitioner," and files this Administrative Complaint against AMD GROUP INC. AND STEVE DELBRUNE, hereinafter referred to as "Respondents." This Administrative Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this complaint, Petitioner alleges the following:

1. Petitioner, Florida Board of Professional Engineers, is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This complaint is filed by the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the Florida Board of Professional Engineers pursuant to Section 471.038, Florida Statutes (1997).

2. The AMD Group Inc., A Design-Build Firm (AMD Group) is a Florida corporation and Steve Delbrune (Delbrune) is its chief operating officer (Respondents). Respondents last known address is 5300 NE 4th Terrace, Ft. Lauderdale, Florida 33334. AMD Group has never been registered as an engineering firm in the State of Florida and Delbrune has never been licensed as a Professional Engineer in this State.

4. AMD Group through Delbrune, between July 2020 and May 2022 offered and provided engineering services to the public by issuing numerous purportedly sealed and signed engineering reports and certifications with AMD Group as the firm through which the services were provided.

5. The engineering inspection reports included the purported name, signature and seal of a licensed Professional Engineer, Mouaffak, Hassoun; PE#61969, (Hassoun) which was placed on the reports by Steve Delbrune, acting on behalf of AMD Group, without the approval or knowledge of Hassoun.

6. Chapter 471.023 (1), Florida Statutes, provides in material part that:

(1) The practice of, or the offer to practice, engineering by licensees or offering engineering services to the public through a business organization, including a partnership, corporation, business trust, or other legal entity or by a business organization, including a corporation, partnership, business trust, or other legal entity offering such services to the public through licensees under this chapter as agents, employees, officers, or partners is permitted only if the business organization is qualified by an engineer licensed under this chapter, subject to the provisions of this chapter. One or more of the principal officers of the business organization or one or more partners of the partnership and all personnel of the

business organization who act in its behalf as engineers in this state shall be licensed as provided by this chapter. All final drawings, specifications, plans, reports, or documents involving practices licensed under this chapter which are prepared or approved for the use of the business organization or for public record within the state shall be dated and shall bear the signature and seal of the licensee who prepared or approved them. Nothing in this section shall be construed to mean that a license to practice engineering shall be held by a business organization. Nothing herein prohibits business organizations from joining together to offer engineering services to the public, if each business organization otherwise meets the requirements of this section. No business organization shall be relieved of responsibility for the conduct or acts of its agents, employees, or officers by reason of its compliance with this section, nor shall any individual practicing engineering be relieved of responsibility for professional services performed by reason of his or her employment or relationship with a business organization.

7. Rule 61G15-20.100 Qualified Business Organizations provides as follows: Pursuant to Section 471.023, F.S., the practice or offer to practice engineering or engineering services to the public through a business organization, or by a business organization or other person practicing under a fictitious name, is permitted only if the business organization is qualified by a Florida licensed professional engineer. A qualifying agent who is the professional engineer qualifying the business organization must notify the Board of any change in the name of the business organization or the business organization's qualifying Professional Engineer within thirty (30) days of such change.

8. The practice of engineering is defined in Chapter 471.005(7), Florida Statutes, to include in material part: ... any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, ... of engineering works and systems, ... any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, ... insofar as they involve safeguarding life, health, or property; and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering; ... who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of [Chapter 471].

9. Section 471.031(1)(a) provides that: “[a]person may not:

(a) Practice engineering unless the person is licensed or exempt from licensure under [Chapter 471].” Section 471.033(1)(a), Florida Statutes, provides in material part: “(1)The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (a)[v]iolating any provision of ... s. 471.031; (b) A person may not knowingly: “Use .. the name or title “professional engineer” or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under [Chapter 471], ,....”

(c) Present as his or her own the license of another.”

10. Chapter 455.228(1), Florida Statutes, provides in material part:

(1) When the [D]epartment [of Business and Professional Regulation] has probable cause to believe that any person not licensed by the department, or the appropriate regulatory board within the department, has violated any provision of this chapter or any statute that relates to the practice of a profession regulated by the department, or any rule adopted pursuant thereto, ... the department may impose an administrative penalty not to exceed \$5,000 per incident pursuant to the provisions of chapter 120 ...

11. Chapter 471.038(5), Florida Statutes, provides in material part: “[n]otwithstanding ss. 455.228 and 455.2281, the duties and authority of the department to receive complaints and to investigate and deter the unlicensed practice of engineering are delegated to the [Board of Professional Engineers].” As a result, the Board is authorized to impose the administrative penalty described in Paragraph 10.


12. In light of the foregoing, Respondent’s actions set forth above constitutes the unlawful offering to practice and the practice of engineering as defined in Chapter 471.005(7), Florida Statutes. As such, the offering and provision of the services described in Paragraphs by Respondents represents the unlawful practice of engineering by Respondent, AMD Group., a business entity that is not registered with the Board of Professional Engineers, in violation of Chapters 455.228(1), 471.031(1)(a) & (c), and 471.038(5), Florida Statutes, and by Respondent Steve Delbrune, in violation of Chapters 455.228(1), 471.031(1)(a) & (c), and 471.038(5), Florida Statutes.

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent’s license, restriction of the Respondent’s practice, imposition of an

administrative fine, issuance of a reprimand, placement of the Respondent on probation, the assessment of costs related to the investigation and prosecution of this case, other than costs associated with an attorney's time, as provided for in Section 455.227(3), Florida Statutes, and/or any other relief that the Board deems appropriate.

SIGNED this 22nd day of January, 2024.


Zana Raybon
Executive Director


BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:
John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2400 Mahan Dr.
Tallahassee, Florida 32308
Florida Bar No. 212008
JR/rv
PCP DATE: January 10, 2024
PCP Members: MATTHEWS, RAMSEY & PISTORINO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to (The)AMD Group/Steve Delbrune at 5300 NE 4th Terrace, Ft. Lauderdale, Florida 33334, by certified mail and First-Class U. S. Mail, on the 24 of January, 2023.


Rebecca Valentine, Paralegal