

8-18-25

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2025010733

DAVID CHAVEZ,

Respondent,

FINAL ORDER ADOPTING SETTLEMENT STIPULATION

THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS ("Board"), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on August 07, 2025, by Videoconference, for the purpose of considering a Settlement Stipulation (attached hereto as "Exhibit A to Final Order") entered into between the parties in this cause. Upon consideration of the stipulation, the documents submitted in support thereof, and the arguments of the parties, it is hereby:

ORDERED AND ADJUDGED that the Settlement Stipulation as submitted be and is hereby adopted *in toto* and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the stipulation.

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

DONE AND ORDERED this 14 day of August, 2025.

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

Zana Raybon

Zana Raybon, Executive Director
For Denise Ramsey, P.E., CHAIR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing filed *Final Order Adopting Settlement Stipulation* has been furnished by U.S. First Class Mail and email to A I hereby certify that a copy of the foregoing was furnished to Respondent David Chavez at Bellar Building & Design LLC, 2400 Toscolona Drive, Kissimmee, Florida 34741 and arq david02@gmail.com this 14th day of August, 2025.

for Rebecca Valentine,
Paralegal

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

RECEIVED

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ENGINEERS,

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OF PROFESSIONAL ENGINEERS

Petitioner,

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FEMC Case No. 2025010733

DAVID CHAVEZ,

Respondent,

_____ /

SETTLEMENT STIPULATION

DAVID CHAVEZ ("Respondent") and the Florida Engineers Management Corporation ("FEMC") hereby stipulate and agree to the following joint Settlement Stipulation ("Stipulation") and Final Order of the Florida Board of Professional Engineers ("Board") incorporating this Stipulation in the above-styled matter.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent, DAVID CHAVEZ, is not a licensed professional engineer in the State of Florida.
2. Respondent was charged by an Administrative Complaint filed by FEMC, and properly served upon Respondent with violations of Chapters 471 and 455, Florida Statutes. A copy of the Administrative Complaint is attached hereto and incorporated by reference as "Exhibit A to Settlement Stipulation".

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in Respondent's capacity as a citizen of the State of Florida, admits that in such capacity Respondent is subject to provisions of Chapters 455 and 471, Florida Statutes, and

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the jurisdiction of the Florida Department of Business and Professional Regulation ("the Agency), FEMC, and the Board.

2. Respondent admits that the facts set forth in the Administrative Complaint, if proven, constitute violations of Chapters 455 and 471, Florida Statutes, as alleged in the Administrative Complaint.

STIPULATED DISPOSITION OF LAW

1. Respondent shall, in the future, comply with Chapters 471 and 455, Florida Statutes, and the Rules promulgated pursuant thereto.

2. Should Respondent fail to comply with the terms of the Final Order, an administrative complaint for failure to comply with the Final Order will automatically be opened against Respondent

3. Respondent shall pay an ADMINISTRATIVE FINE of \$5,000.00 and ADMINISTRATIVE COSTS of \$64.35 to the Board within thirty (30) days of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

4. Respondent shall cease and desist from offering engineering services without the professional engineering license or certification of authorization required by Florida law, specifically Chapter 471, Florida Statutes, as set forth in the Administrative Complaint.

5. It is expressly understood that this Stipulation is subject to approval of the Board and FEMC and has no force or effect until the Board issues a Final Order adopting this Stipulation.

6. This Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of this Stipulation. Furthermore, should this Stipulation not be


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accepted by the Board, it is agreed that presentation to and by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration, or resolution of these proceedings.

7. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or otherwise challenge or contest the validity of the joint Stipulated Facts, Conclusions of Law, imposition of discipline, and the Final Order of the Board incorporating this Stipulation.

8. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

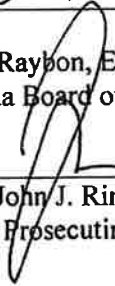
WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.



David Chavez
Respondent
Case No: 2025010733

APPROVED this 10 day of June, 2025.

Zana Raybon, Executive Director
Florida Board of Professional Engineers



BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management Corp
CLERK Rebecca Valente
DATE 5/21/2025



STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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FEMC Case No. 2025010733

DAVID CHAVEZ,

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_____ /

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 DAVID CHAVEZ, hereinafter referred to as "Respondent." 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. Respondent is not at present and never has been a licensed professional engineer in the State of Florida. Respondent's last known address is Bellar Building & Design LLC 2400 Toscolona Drive, Kissimmee, Florida 34741.

3. On September 25, 2024, Respondent sealed, signed, and dated a set of engineering plans for a project at 9068 Gervais Circle APT 206, Naples, FL 34120. The seal and signature on the Gervais Cir plans purported to be those of Enrique Lairer, PE # 86574. In fact, Mr. Lairer had no involvement with the Gervais Circle project and Respondent forged Mr. Lairer's signature and applied Mr. Lairer's seal to the Gervais Circle plans.

4. Section 471.031(1)(a) –(c), Florida Statutes, provide in material part: "A person may not: (a) Practice engineering unless the person is licensed or exempt from licensure under this chapter...; (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."

5. Section 455.228(1), Florida Statutes, provides in material part: (1) When the [Department 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"

6. Section 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 5.

7. 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.” By offering and providing engineering services to the general public using the seal and signature of a licensed professional engineer when Respondent does not and has never possessed a license as a Professional Engineer, Respondent violated the provisions of Section 471.031(1)(a).

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 20th day of May, 2025.

Zana Raybon
Executive Director



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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: May 07, 2025

PCP Members: MATTHEWS, PISTORINO, & MYERS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Respondent David Chavez at Bellar Building & Design LLC, 2400 Toscolona Drive, Kissimmee, Florida 34741, by certified mail and First-Class U. S. Mail, on the 22 of May, 2025.



Rebecca Valentine, Paralegal






Final Order-Chavez

Final Audit Report

2025-08-14

| | |
|-----------------|----------------------------------------------|
| Created: | 2025-08-14 |
| By: | Rebecca Valentine (rvalentine@fbpe.org) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAkK2FD4wXcbZqPQd4Rzu6EQws9wEuPodg |

"Final Order-Chavez" History

-  Document created by Rebecca Valentine (rvalentine@fbpe.org)
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