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| <b>FILED</b>                                       |                 |
| Department of Business and Professional Regulation |                 |
| Deputy Agency Clerk                                |                 |
| CLERK  | Brandon Nichols |
| Date   | 2/24/2014       |
| File #   |                 |

**W. W. Schaefer Engineering & Consulting, P.A. (CA #6809)**

7480 150<sup>th</sup> Court North  
Palm Beach Gardens, FL 33418

February 24, 2014

Re: Petition for Declaratory Statement before the Florida Building Commission.

**DS 2014-024**

Rule/provisions in question: Rule 61G20-3.009

I have 2 situations that I need considered under this DEC statement request.

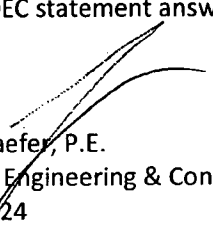
Situation 1: I am the engineer that prepared, signed and sealed the window drawings NO. 1518, 1519 & 1520 that exist as part of Dade County NOA's 13-0829.18, .19 & .17 & Florida approvals FL10015, 10022 & 10026 respectively. The manufacturer of these products is in process of applying for 1A state approvals using the referenced NOA's, listing Dade as the QA & certification entity. The manufacturer desires to list me as the validator. I have no financial interest in any of the parties involved (manufacturer, Dade, test lab), I will not be listed on the applications as any entity in the application, and I am listed with the state as a validator. Can I validate these approvals?

Situation 2: I am the engineer that has prepared, signed and sealed installation instructions for products being issued to the State of Florida for product approval under method 1A (Entity certification) & Florida approval FL16258. WDMA will be the certification and QA entity for these products. In the product listing, the manufacturer will be uploading my certified installation instructions. The manufacturer desires that I be the validator. I have no financial interest in any of the parties involved (manufacturer, WDMA, test lab), I will not be listed on the applications as any entity in the application, and I am listed with the state as a validator. Can I validate the approval?

I believe that the rule 61G20-3.009 does not disallow me from being validator in both of these situations considering I am not on the application as any other entity & am 3<sup>rd</sup> party to all involved in the application.

Please issue a DEC statement answering the questions posed here-in.

Thank you,

  
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