

**PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION**

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	7/5/2016
File #	

Company: Deco-Flash
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DS 2016-050

Petitioner's Representative: Lucas A. Turner, P.E.
Turner Engineering & Consulting, Inc.
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Statutory Provision, Agency Rule, or Agency Order on which the Declaratory Statement is sought:
Product Approval Rule 61G20-3.001

Petition:

Petitioner's Representative Lucas Turner on behalf of client Deco-Flash submitted Florida Product Approval application FL20760 for statewide approval of the Deco-Flash product. Florida DBPR Staff indicated that the Deco-Flash product does not fall under the scope of the Product Approval Rule 61G20-3.001, shown below, and requested that the Petitioner submit this Declaratory Statement prior to proceeding. Prospective Deco-Flash clients have indicated to John Rosende that they would only purchase and use the Deco-Flash product if it had statewide Florida Product Approval, so there is a substantial effect for the Deco-Flash business if the application is not approved.

61G20-3.001 Scope.

(1) Products in the following categories as defined by subcategories of subsection 61G20-3.002(31), F.A.C., shall be available for approval by the Commission pursuant to Rule 61G20-3.007, F.A.C., for use in the state:

- (a) Panel Walls;
- (b) Exterior Doors;
- (c) Roofing Products;
- (d) Skylights;
- (e) Windows;
- (f) Shutters; and
- (g) Structural Components.

(2) This rule applies to approval of products and systems, which comprise the building envelope and structural frame, for compliance with the structural requirements of the Florida Building Code.

The Deco-Flash product is essentially a hybrid between a window buck and a window flashing, and combines those functions. It is a physical exterior-facing interface between the window and the wall opening, so it definitely comprises part of the building envelope. Because the window products will be installed through the Deco-Flash product and into the substrate, the Deco-Flash is also a structural component and part of the load path from the window to the substrate.

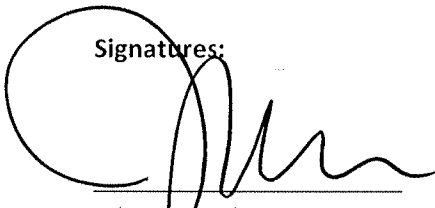
The breadth/depth of different types of window installations through bucks were too complex to provide a blanket structural approval of the Deco-Flash product, so it was indicated in the FL20760 application documents that the structural aspect of installing windows through it were up to the window manufacturer's requirements as approved by the design professional or building authority. So the structural aspect is addressed in the application by referral to window requirements. The application also addresses the flashing code compliance, and the plastics component testing compliance for the Deco-Flash PVC.

Because of the nature of this product, the category for submittal under Rule 61G20-3 was uncertain, so 'Windows' category and 'Products Introduced as a Result of New Technology' subcategory were selected.

This Petition is for the Florida Building Commission to determine whether the FL20760 application falls within the scope of the Florida Product Approval Rule and may therefore be considered/approved by FDBPR Staff, by the Product Approval POC, and then by the full Florida Building Commission through the normal product approval process. Petitioner and Petitioner's Representative clearly believe that this product does fall within the scope of the Rule and should be allowed.

The specific question to be answered is: does the product in FL20760 fall within the scope of Product Approval Rule 61G20-3.001?

Signatures:



John Rosende
CEO, Deco-Flash

7/5/2016

Date



Lucas Turner
President, Turner Engineering & Consulting, Inc.

7/5/2016

Date