

**FINE TOOTH COMB INVESTIGATIONS, INC.**  
**P.O.BOX 61797**  
**JACKSONVILLE, FL 32236**  
**A-9700009**  
**904-237-5917**

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

Dear Ms. Ford:

Please consider this letter as a request for a petition for a declaratory statement before the Florida Building Commission. My request involves interpretation of the Fla Statute 553.791, and Fl. Bldg Code 106.6 .

The question I pose is – **Under 106.6, if a Building Official** decides to allow an Architect or Engineer to provide plan review and/ or inspection services under seal, is the Architect or Engineer bound by and subject to the private provider rules of Fl. Stat. 553.791? In other words, can the Architect or Engineer operate outside F.S. 553.791 to provide plan review and/or inspection services?

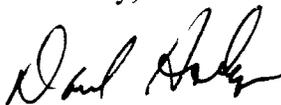
Plan Review and Inspection services may be provided under Fl Stat. 468 by state licensed and publicly employed Building Officials, building inspectors, and plan reviewers. State Licensed Architects and Engineers may provide these services under Fla Stat 553.791 provided they meet the insurance and other requirements.

At least one building official thinks that state licensed Architects and Engineers can provide these services under Fl Bldg Code 106.6 outside of the requirements of Fl Stat 553.791. There are differences of opinion as to this interpretation because of the fact that the lack of insurance fails to offer any protection to the public.

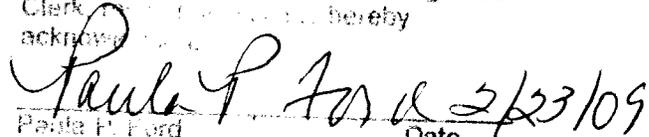
My firm has been approached with this issue and needs a declaratory statement as to the intent of the Florida Building Commission when it published 106.6.

Thank you in advance for your assistance in this matter.

Sincerely,



David Hodges, P.I., F.C.I.  
President  
Feb. 15, 2009

DCA09-DEC-056  
FILING AND ACKNOWLEDGEMENT  
FILED on this \_\_\_\_\_ in the designated  
Clerk's Office, \_\_\_\_\_ hereby  
acknowledged \_\_\_\_\_  
  
Paula P. Ford Date 2/23/09  
Commission Clerk