

**CODE ADMINISTRATION TECHNICAL ADVISORY COMMITTEE
THIS MEETING WILL BE HELD VIA TELECONFERENCE/WEBINAR
MEETING VIRTUALLY AT MICROSOFT TEAMS MEETING
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October 2, 2026

1:00 P.M.

Minutes

CODE ADMINISTRATION TAC PRESENT:

Don Brown, Chairman
Linda Blanco
Dexter Bleasdell
Eddy Bouza
Shane Gerwig

John Morell for Michael Guerasio
Mike Savage
Kyle Sawchuk
Jim Schock
Tim Tolbert

STAFF PRESENT:

Mo Madani
Justin Vogel
Marlita Peters

Alan Burke
Jim Hammers
Sabrina Evans

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: facilitatedsolutions.org

Welcome: (0:08)

Time: 1:00 p.m.

Mr. Blair welcomed everyone to the meeting of the Code Administration TAC.

Roll Call: (1:13)

Mr. Blair performed roll call for the Code Administration TAC. A quorum was determined with 9 members present at roll call.

Agenda Approval: (2:43)

Ms. Blanco entered a motion to approve the agenda for today's meeting as posted. Mr. Savage seconded the motion. The motion passed unanimously with a vote of 9 to 0.

Approval of the minutes of August 21, 2026: (4:17)

Mr. Savage entered a motion to approve the minutes from August 21, 2026, as posted. Ms. Blanco seconded the motion. The motion passed unanimously with a vote of 9 to 0.

Commissioner Brown joined the meeting, making the quorum 10 members present.

Proposed Code Change to the 9th Edition (2026), FBC: (4:47)

1) CA-FBC-B-Ch.1 Comment #4 by staff (9:54)

Staff:

Mr. Madani provided details of the comments for the proposed code change for CA-FBC-B-Ch.15 comment #4 and stated it was a glitch.

Motion:

Mr. Morell entered a motion to recommend approving CA-FBC-B-Ch.15 comment #4 as a glitch. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 10 to 0.

2) CA-FBC-B-CH.1 Comment #5 by staff (11:40)

Staff:

Mr. Madani provided details of the comments for the proposed code change for CA-FBC-B-Ch.1 comment #5 and stated it was an errata.

Motion:

Ms. Blanco entered a motion to recommend approval of CA-FBC-B -CH. 1 as an errata as submitted. Commissioner Bouza seconded the motion. The motion passed unanimously with a vote of 10 to 0.

3) CA-FBC-R-3-Comment #6 by staff (12:56)

Staff:

Mr. Madani provided details of the comments for the proposed code change for CA-FBC-R-3-comment #6 and stated it was an errata.

Motion:

Commissioner Bouza entered a motion to recommend approval of CA-FBC-R-3 as an errata as submitted. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 10 to 0.

4) CA-FBC-B-CH.4-Comment #7 by staff (14:49)

Staff:

Mr. Madani provided details of the comments for the proposed code change for CA-FBC-B-CH.4 comment #7 and stated it was an errata.

Motion:

Commissioner Brown entered a motion to recommend approval of CA-FBC-B-CH.4 as an errata as submitted. Commissioner Bouza seconded the motion. The motion passed unanimously with a vote of 10 to 0.

5) CA-FBC-B-CH.24 Comment #8 by Josh Phillips (16:08)

Proponent:

Josh Phillips, DBPR, provided details of the comments for the proposed code change for CA-FBC-B-Ch.24 comment #8 and stated it was a glitch.

Motion:

Commissioner Bouza entered a motion to recommend approving CA-FBC-B-Ch.24 as a glitch. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 10 to 0.

6) CA-FBC-B-CH.15 Comment #19 by staff (17:46)

Proponent:

Mike Silvers, Florida Roofing and Sheet Metal Contractors Association (FRSA), provided details of the comments for the proposed code change for CA-FBC-B-Ch.15 comment #9 and stated it was an errata.

Motion:

Commissioner Brown entered a motion to recommend approval of CA-FBC-B-Ch.15 as an errata as submitted. Mr. Gerwig seconded the motion. The motion passed unanimously with a vote of 10 to 0.

Revised Draft Final Report: Creation of Private Provider Certificate of Compliance and Inspection Forms: (19:38)

Staff:

Mr. Madani provided a brief overview and introduction to the Revised Draft Final Research Project Titled: “Creation of Private Provider Certificate of Compliance and Inspection Forms”.

Presenter:

Dr. Jennifer Bridge, UF, provided a brief summary of the Revised Draft Final Research Project Titled: “Creation of Private Provider Certificate of Compliance and Inspection Forms.

Discussion:

Members of the TAC, staff, and Dr. Bridge went into discussion with questions and comments.

Public Comment:

Tatiana Gust, Elite Permits, asked Dr. Bridge a question.

Dr. Bridge provided an answer to Ms. Gust’s question.

Jaime Gascon, Miami-Dade County, spoke in support of the Revised Draft Final Research Project Titled: “Creation of Private Provider Certificate of Compliance and Inspection Forms.

Rebecca Quinn, Florida Division of Emergency Management (FDEM), provided a comment.

Linda Blanco provided a comment.

Sergio Ascunce, Miami-Dade County, provided a comment.

Motion:

Mr. Gerwig entered a motion to accept the Revised Draft Final Research Project Titled: “Creation of Private Provider Certificate of Compliance and Inspection Forms’ report. Mr. Morell seconded the motion.

Discussion:

Members of the TAC, staff, and Dr. Bridge went into discussion with questions and comments.

Motion Continued:

The motion passed with a vote of 10 to 1.

Forms: (49:24)

- 1) “Standardized Private Provider Certificate of Compliance Form” (Form 61G20-2.005-03) with staff comments. (52:23)

Staff:

Mr. Vogel provided details on the Standardized Private Provider Certificate of Compliance Form (Form 61G20-2.005-03).

Public Comment:

David Weiss, Provider Association of Florida, provided a comment.

Jaime Gascon, Miami-Dade County, provided a comment.

Scott McAdam, Universal Engineering Science, provided a comment.

Sergio Ascunce, Miami-Dade County, provided a comment.

Rebecca Quinn, Florida Division of Emergency Management (FDEM), provided a comment.

Debra Mazakas provided a comment.

Tatiana Gust, Elite Permits, provided a comment.

Denese Dore provided a comment.

Chandra Doucette, General Counsel for Inspected, provided a comment.

Remberto Leiseca, Legislative Committee for the Building Officials Association of Florida provided a comment.

Stephen Switzer, Hernando County, provided a comment.

Discussion:

Members of the TAC and staff went into discussion.

Motion:

Mr. Gerwig entered a motion to recommend the Commission adopt the form with staff comments and with the TAC’s amendment to remove the word “seal” after license number. Ms. Blanco seconded the motion.

Discussion:

Members of the TAC and staff went into discussion.

Amendment Motion:

Commissioner Schock moved to amend the motion to include energy and accessibility to the inspection types.

Motion failed due to lack of seconding.

Motion Continued:

The motion passed with a vote of 8 to 2.

2) “Standardized Private Provider Inspection Report Form”, providing for multiple Inspections (Form 61G20-2.005-02) with staff comments. (1:21:57)

Staff:

Mr. Vogel provided details on the Standardized Private Provider Inspection Report Form, providing for multiple Inspections (Form 61G20-2.005-02).

Mr. Madani provided additional details to the Standardized Private Provider Inspection Report Form, providing for multiple Inspections (Form 61G20-2.005-02).

Discussion:

Mr. Gerwig asked the staff a question.

Mr. Madani provided an answer to Mr. Gerwig’s question.

Public Comment:

Jaime Gascon, Miami-Dade County, spoke in support of the Standardized Private Provider Inspection Report Form, providing for multiple Inspections (Form 61G20-2.005-02).

Sergio Ascunce, Miami-Dade County, spoke in support of the Standardized Private Provider Inspection Report Form, providing for multiple Inspections (Form 61G20-2.005-02).

Rebecca Quinn, Florida Division of Emergency Management (FDEM), provided a comment.

Tatiana Gust, Elite Permits, provided a comment.

Pete Quintela, Miami-Dade County, provided a comment.

Motion:

Mr. Gerwig entered a motion to recommend the Commission adopt the version of the form with multiple inspection options, including staff comments, and with the addition of a pointer to section 110 of the Florida Building code. Ms. Blanco seconded the motion.

Discussion:

Commissioner Bouza provided a comment.

Motion Continued:

The motion passed with a vote of 8 to 2.

3) “Notice to Building Official of Use of Private Provider Form” (Form 61G20-2.005-2002-01) with staff comments. (1:32:15)

Staff:

Mr. Vogel provided details on the Notice to Building Official of Use of Private Provider Form (Form 61G20-2.005-2002-01).

Mr. Madani provided additional details to the Notice to Building Official of Use of Private Provider Form (Form 61G20-2.005-2002-01).

Discussion:

Members of the TAC and staff went into discussion with questions and comments.

Public Comment:

Sergio Ascunce, Miami-Dade County, asked the staff a question.

Mr. Madani provided an answer to Mr. Ascunce’s question.

Scott McAdam, Universal Engineering Science, provided a comment.

Remberto Leiseca, Legislative Committee for the Building Officials Association of Florida provided a comment.

Jonathan Bilby, Building Official City of Pensacola representing the Building Officials Association of Florida, provided a comment.

Marcelo Almas provided a comment.

Chandra Doucette, General Counsel for Inspected, provided a comment.

Discission:

Mr. Gerwig asked the staff a question.

Mr. Madani provided an answer to Mr. Gerwig’s question.

Motion:

Mr. Gerwig entered a motion to recommend the Commission adopt the Notice to Building Official Use of Private Provider Form with staff comments, including the addition of the BOAF comments. Ms. Blanco seconded the motion.

Discussion:

Commissioner Bouza provided a comment.

Motion Continued:

The motion failed with a vote of 7 to 3.

Staff:

Mr. Madani provided a comment.

Discussion:

Commissioner Brown entered a motion to reconsider his vote. Mr. Gerwig seconded the motion. The motion passed unanimously with a vote of 10 to 0.

Motion:

Mr. Gerwig entered a motion to recommend the Commission adopt the Notice to Building Official Use of Private Provider Form with staff comments, including the addition of the BOAF comments. Ms. Blanco seconded the motion.

Discussion:

Commissioner Bouza stated he supports the motion.

Motion Continued:

The motion passed unanimously with a vote of 10 to 0.

Declaratory Statements: (1:50:00)

TAC:

Commissioner Bouza excused himself from the meeting due to an unavoidable conflict.

1) DS2026-058 by Ian Chen of My Amelia, Inc. (1:54:51)

Staff:

Mr. Vogel provided the background information on the declaratory statement request, along with the questions posed and full staff analysis.

Staff Analysis:

Petitioners' Questions:

1) Does the addition of the word "explicit" to 553.791(2)(a) have any impact on the previously adopted Form 61G20-2.005-2.002-01 to provide a Notice to Building Official?

2) Is a separate owner authorization required if the fee owner signs the Commission's Notice to Building Official Form 61G20-2.005-2.002-01?

3) Is the fee owner authorization required to include the scope of contractor's work (similar to a Notice of Commencement) in order to be "explicit" under §553.791(2)(a)?

4) Are there any restrictions related to the method of execution for the explicit fee owner authorization, such as original wet-ink signatures, under oath, or notarization?

5) When registering under §553.791(4) is a Duly Authorized Representative for a Private Provider required to submit photo ID, residential address or date of birth?

6) Is a private provider still required to resubmit copies of the Duly Authorized Representative information and Certificate of Insurance with each NTBO?

Staff's Suggested Answers:

1) Form 61G20-2.005-2.002-01 remains in effect, but, as noted in the notice of development published on July 27, 2026, in volume 52/144 of the Florida Administrative Register, the rule is currently under development in response to the identified statutory changes.

2 through 6) The Commission is without jurisdiction to answer the questions.

Discussion:

Ms. Blanco asked some questions to the staff.

Mr. Vogel provided answers to Ms. Blanco's question.

Petitioner:

Ian Cohen provided details on the petition.

Support:

Johnathan Bilby, Building Official City of Pensacola representing the Building Officials Association of Florida, spoke in support of the staff's analysis.

Motion:

Commissioner Brown entered a motion to recommend approval of the staff's analysis. Mr. Savage seconded the motion. The motion passed unanimously with a vote of 9 to 0.

2) DS2026-062 by Michael Price (2:07:00)

Staff:

Mr. Vogel provided the background information on the declaratory statement request, along with the questions posed and full staff analysis.

Staff Analysis:

Petitioners' Questions:

1. Under the version of section 553.791 applicable to Petitioner's circumstances, where a qualified Private Provider has completed plan review, determined that revised construction documents comply with the applicable codes, and provided the required Plan Compliance Affidavit, may Petitioner rely upon that completed Private Provider plan review in determining how to proceed with the projects if the local enforcement agency independently conducts or proposes to conduct a technical Code-compliance review of those same plans for the purpose of determining whether the Private Provider's Code-compliance determination is correct?
2. For purposes of determining Petitioner's rights and obligations in proceeding under section 553.791, does an independent technical examination by the local enforcement agency of plans already reviewed for Code compliance by Petitioner's Private Provider constitute replication of the Private Provider's plan review within the meaning of section 553.791(1)(b)?
3. In light of section 553.791(1) (d), which included review of building plans within "building code inspection services," do the audit requirements of section 553.791(20) apply when a local enforcement agency audits Private Provider plan-review services?
4. If section 553.791(20) applies to Private Provider plan-review services, may Petitioner's Private Provider plan review be subjected to an audit or technical re-review by a local building-code enforcement agency that has not established the standard operating Private Provider audit procedures required by that subsection?
5. If section 553.791 otherwise authorizes the local enforcement agency to identify an alleged deficiency in Private Provider-reviewed plans as Petitioner seeks authorization to proceed, what written identification of the specific deficiency and applicable Code provisions is required under Petitioner's circumstances?

Staff's Suggested Answers:

With respect to Petitioner's first question, whether he may "rely" on the private provider's plan review in determining how to proceed with his projects is too general of an inquiry for the Commission to answer. If the question is intended to solicit a statement imposing constraints on or requirements concerning the conduct of other entities, it is not the appropriate subject of a declaratory statement.

With respect to questions two through five, they pertain to the conduct of entities other than the petitioner. Furthermore, the courts have stated that "a petition for a declaratory statement which seeks approval or disapproval of conduct which has already occurred is properly denied." *Novick v. Dep't of Health*, 816 So. 2d 1237, 1240 (Fla. 5th DCA 2002) (citing *Chiles v. Dep't of State, Div. of Elections*, 711 So. 2d 151 (Fla. 1st DCA 1998)). The Commission is thus unable to issue a declaratory statement pertaining to the past conduct of other individuals.

Motion:

Commissioner Bouza entered a motion to recommend approval of the staff's analysis. Mr. Bleasdell seconded the motion.

Discussion:

Mr. Bleasdell asked the staff a question.

Mr. Vogel provided an answer to Mr. Bleasdell's question.

Motion Continued:

The motion passed unanimously with a vote of 9 to 0.

3) DS2026-063 by Michael Price (2:13:56)

Staff:

Mr. Vogel provided the background information on the declaratory statement request, along with the questions posed and full staff analysis.

Staff Analysis:

Petitioners' Questions:

1. Under section 553.791(15), when a qualified Private Provider determines that revised construction documents comply with the applicable codes while the local Building Official maintains that they do not and the projects remain subject to Stop Work Orders, is that type of unresolved disagreement a dispute subject to the procedure established by section 553.791(15)?
2. When such a dispute remains unresolved and the fee owner seeks to invoke section 553.791(15)(a), does that subsection require the local Building Official to be available to meet with the Private Provider within two business days for the purpose of attempting to resolve the dispute?
3. If a dispute subject to section 553.791(15) cannot be resolved between the local Building Official and Private Provider, what procedure does section 553.791(15)(b) provide for Petitioner to pursue resolution so that Petitioner may determine how to proceed with the projects? DS2026-064 by Michael Price

Staff:

Mr. Vogel provided the background information on the declaratory statement request, along with the questions posed and full staff analysis.

Staff's Suggested Answers:

In response to Petitioner's first and third questions, the only provision in chapter 553, Florida Statutes (2026), which provides for the appeal of a local building official to the Commission is

section 553.775(3)(c), Florida Statutes (2026), which states that “[t]he commission shall review decisions of local building officials and local enforcement agencies regarding interpretations of the Florida Building Code or the Florida Accessibility Code for Building Construction after the local board of appeals has considered the decision, if such board exists, and if such appeals process is concluded within 25 business days.”¹ (underlining provided). This is the process that would be implicated by section 553.791(17), Florida Statutes (2026).

In response to Petitioner’s second question, it pertains to the conduct of other individuals, and so is not the appropriate subject of a declaratory statement.

Motion:

Commissioner Brown entered a motion to recommend approval of the staff’s analysis. Ms. Blanco seconded the motion. The motion passed unanimously with a vote of 9 to 0.

4) DS2026-064 by Michael Price (2:18:36)

Petitioners’ Questions:

1. Where a qualified Private Provider has completed plan review, determined that submitted plans comply with the applicable codes, and submitted the required Plan Compliance Affidavit, what legal effect does the provider's subsequent withdrawal or termination of future services, by itself, have under section 553.791 upon the previously completed plan review and Plan Compliance Affidavit as Petitioner seeks to proceed with the pending applications?
2. Where the Private Provider's subsequent withdrawal or termination of future services is not based upon any identified error, deficiency, or Code-compliance issue in the completed plan review or Plan Compliance Affidavit, under what circumstances, if any, does section 553.791 permit that completed plan review or affidavit to be rescinded, withdrawn, invalidated, or rendered ineffective?
3. For purposes of determining how Petitioner may proceed with the pending applications, does section 553.791 authorize the local enforcement agency to treat a Private Provider's withdrawal or termination of future services, by itself, as rendering an existing permit application unable to proceed after plan review has been completed and the Plan Compliance Affidavit submitted?
4. Under Petitioner's present circumstances, may the fee owner retain another qualified Private Provider, update the Notice to Building Official to identify the replacement provider and services to be performed, and maintain the existing permit application rather than initiate a new permit application solely because the prior Private Provider ceased providing further services?

Staff’s Suggested Answers:

Besides the jurisdictional issues, Petitioner’s first and fourth questions address the consequences of conduct that has already occurred, and the courts have stated that “a petition for a declaratory statement which seeks approval or disapproval of conduct which has already occurred is properly denied.” *Novick v. Dep’t of Health*, 816 So. 2d 1237, 1240 (Fla. 5th DCA 2002) (citing *Chiles v. Dep’t of State, Div. of Elections*, 711 So. 2d 151 (Fla. 1st DCA 1998)).

Petitioner's second and third questions both concern the conduct of entities other than the Petitioner and are thus not the appropriate subject for a declaratory statement.

Motion:

Commissioner Brown entered a motion to recommend approval of the staff's analysis. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 9 to 0.

5) DS2026-070 by Michael Price

Staff:

Mr. Vogel provided the background information on the declaratory statement request, along with the questions posed and full staff analysis.

Staff Analysis:

Petitioners' Questions:

1. Under Petitioner's present circumstances, where construction has already commenced on permitted single-family residential projects and Petitioner presently requires plans review of revised construction documents, may Petitioner elect a qualified Private Provider under section 553.791 to perform that plans review and provide the Plan Compliance Affidavit required by subsection (7)?
2. If the answer to Question 1 is yes, and the local enforcement agency has a policy pursuant to section 553.791(2)(a) requiring a fee owner or contractor who uses a Private Provider for plans review to also use a Private Provider for required building inspections, how does that requirement apply to Petitioner when construction has already commenced and subsection (6) separately addresses the election of a Private Provider for inspection services after commencement of construction?

Staff's Suggested Answer:

Besides lacking the authority to issue a declaratory statement regarding the application of these provisions, rule 28-105.002, Florida Administrative Code, requires that the petition be signed by the petitioner or their representative, and dated, and this petition was both unsigned and undated.

Accordingly, the Commission should decline to answer the petition.

Motion:

Commissioner Brown entered a motion to recommend approval of the staff's analysis. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 9 to 0.

Public Comment: (2:25:43)

None.

Member and Staff Comment: (2:25:43)

None.

Adjourn: (2:25:51)

There being no further business before the Committee, Chairman Brown adjourned the meeting at 3:26 p.m.