

DATE: September 15th, 2026
TO: Florida Building Commission
ATTN: Mo Madani
REF: DS 2026-058
FROM: Doug Sposito
Deputy Building Official
Collier County FL

I respectfully submit comments for Consideration regarding DS 2026-058 Petition for Declaratory Statement

Code, Statute Sections Considered

- HB 803 lines 659-671, 863-873
- Judicial doctrine governing words that are not defined
- Merrium Webster Definition
 - **Explicit:** *fully revealed or expressed without vagueness, implication, or ambiguity : leaving no question as to meaning or intent*
- Notice to Building Official Form # 61G20-2.005-2002-01 effective January 1, 2025
- FS 553.791

Background:

HB 803 which amended FS 553.791, was signed into law and took effect July 1st 2026. HB 803 now requires an “explicit” written authorization from the fee owner to use a private provider and this written authorization must be submitted to the building official. Previously the law did not require the authorization to be explicit or to be submitted to the building official.

In addition, HB 803 requires the building official to review documents for completeness. (lines 863-873).

Explicit is not defined in statute. Florida courts have held that when the Legislature leaves a statutory term undefined, that term must be interpreted and construed using its plain, common, and ordinary sense.

Merrium Webster defines explicit:

Explicit: *fully revealed or expressed without vagueness, implication, or ambiguity : leaving no question as to meaning or intent*

The petitioners intent is to use NTBO for both the notice to building official as required under 553.791(5) and the explicit written authorization under 553.791(2)(a). These are two different requirements under two different sections of 553.791.

Nothing in HB 803 specifically authorizes the use of the Notice to Building Official (NTBO) as an “Explicit” authorization. The language used by the legislature (HB 803 lines 666-671):

“All such services shall be the subject of a written contract between the private provider, or the private provider's firm, and the fee owner or the fee owner's contractor, upon explicit written authorization of the fee owner. A copy of such written authorization must be submitted to the local building official.”

Questions asked by petitioner:

Question 1: Does the addition of the word “explicit” to 553.791 (2)(a) have any impact on the previously adopted Form 61G20-2.005-2002-01 to provide a Notice to Building Official?

Comment on Petitioner Question #1:

The answer to Petitioners question 1 is yes.

The petitioner is implying that the term “explicit” references the NTBO. It does not. The term explicit is in direct reference to the requirement of 553.791(2)(a) for an “explicit written authorization” from the fee owner to use a private provider.

This only matters if the intent is to use the NTBO for both the notice to building official, which is required under 553.791(5) and the explicit written authorization which is required under 553.791(2)(a). These are two different requirements under two different sections of 553.791.

If the intent of the petitioner is to use the NTBO as the “explicit written authorization” the answer to Petitioners question 1 is yes, adding the word “explicit” has had any impact on the previously adopted Form 61G20-2.005-2002-01 to provide a Notice to Building Official.

The trouble with using the NTBO (Form # 61G20-2.005-2002-01) as the “explicit written authorization” is form 61G20-2.005-2002-01 is not an explicit document, and it cannot be revised by the local jurisdiction to be explicit. *The local enforcement agency may not alter the form...((553.791(5))*

Explicit as defined by Webster means: *fully revealed or expressed without vagueness, implication, or ambiguity : leaving no question as to meaning or intent*

The NTBO does not require a location where the services will be provided or a scope of services. This is ambiguous as it could be anywhere for anything.

To meet the requirements of “explicit” BOAF suggests at a minimum the authorization should include:

- Project name
- Project address
- Scope of work
- Permit applicant name
- Private provider name

You can find this guidance at the following link:

<https://boaf.net/BlankCustom.asp?page=HB803QA26>

The NTBO in its current form does not require a project address or scope and does not meet the requirement of explicit. The NTBO cannot be revised by the building official.

That an NTBO could be submitted with a permit application that does contain an address and scope can imply that the NTBO is at that address and for that scope, but by definition that makes the NTBO an implicit document which is the exact opposite of explicit. To be explicit it must be, *without implication*, as defined by Webster.

In addition, the document can be signed by anyone. Without the requirement of a notary or other third-party verification, the building official is left to question the authenticity as to the intent of the fee owner.

When a document is required by statute to be submitted to the building official, the building official has a minimum statutory obligation to review the document for completeness and also has a minimum obligation to ascertain and assure that the document meets the minimum requirements of the law. In this case an explicit document must be *without vagueness, implication, or ambiguity and leaving no question as to meaning or intent*. The NTBO as provided by the commission does not meet this requirement.

Question 2: Is a separate owner authorization required if the fee owner signs the Commission’s Notice to Building Official Form 61G20-2.005-2002-01?

Comment on Petitioner Question #2:

The answer to Petitioners question 2 is yes.

The requirements for an explicit written authorization and an NTBO are derived from two separate sections of the statute. The specific requirements for the NTBO are found under 553.791(5) and the requirements for the explicit written authorization under 553.791(2)(a). There is no language that suggests one could be used in lieu of the other. The fact that the NTBO is not an explicit document makes it incompatible with statute and unable to meet the written authorization requirement.

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

Comment on Petitioner Question #3:

The answer to Petitioners question 3 is yes.

For the written authorization to be unambiguous and leaving no question as to meaning or intent there must be a scope of work associated with the authorization. BOAF has reviewed the statute and has provided its own guidance, agreeing that the project address and scope of work must be included as a minimum requirement of any explicit fee owner authorization.

To meet the requirements of "explicit" BOAF suggests at a minimum the authorization should include:

- Project name
- Project address
- Scope of work
- Permit applicant name
- Private provider name

You can find this guidance at the following link:

<https://boaf.net/BlankCustom.asp?page=HB803QA26>

Question 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?

Comment on Petitioner Question #4:

The answer to Petitioners question 4 is yes.

To meet the requirements of an “explicit” authorization it seems impossible to meet: *fully revealed or expressed without vagueness, implication, or ambiguity : leaving no question as to meaning or intent.* without some sort of third-party verification. The authorization must be submitted to the building official. The building official has a minimum obligation to assure it meets the statutory requirements. Signatures can be forged or mis-represented.

Below is one such example submitted to Collier County by the petitioner himself. In this case the fee owner signed the Inspected.com proprietary fee owner authorization letter on July 14th, 2026, but the fee owner had in fact, died two weeks prior to signing this document on June 29th 2026.

See attachments below:

Private Provider Authorization & Indemnification Statement

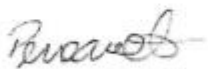
I, JOSEPH LAUZON the fee owner of the property
4782 Europa Dr CORINTHIAN GARDENS AT WORLD TENNIS CENTER
BLK B LOT 4 Naples, FL 34105 (property address) hereby
submit written authorization allowing the contractor of record to utilize a Private Provider for
services selected in the Notice to Building Official as permitted by Florida Statute §553.791 (HB803).

Indemnification Statement

I agree to indemnify, defend, and hold harmless the local government, the local building official, and
all building code enforcement personnel from any and all claims, liabilities, damages, or causes of
action arising from the use of licensed or certified personnel to perform building code plan review
and inspection services for the building or structure covered under this agreement and the related
permit application.

I further acknowledge and agree that I have read, understood, and fully accepted the Terms and
Conditions set forth herein.

Printed Name: JOSEPH LAUZON

Signature: 
(Legal Fee Simple Owner or Authorized Agent of the Business)

Date: 07/14/2026

(To be used only if the Contractor signs the NTBO.)

1250 S. Pine Island Road Suite 400, Plantation, FL 33324
(954) 820-4874

Permits@Inspected.com
<https://www.inspected.com>



Fuller Funeral Home - East Naples

<https://www.fullernaples.com> › obituaries › Joseph-Lauzon



Joseph Lauzon Obituary - Fuller Funeral Home

Jun 29, 2026 — **Joseph Lauzon** March 13, 1961 - June 29, 2026. Naples, FL Location
1625 Pine Ridge Road Naples, FL 34109

AI Overview



Joseph Lauzon was a Naples, Florida resident who **passed away on June 29, 2026**, at the age of 65. Originally from Montreal, Canada, he was a registered LLC agent known for his hard work and dedication to helping others. [MyFlorida.com \(.gov\)](#) +1

You can find his official records and share memories of his life through the Fuller Funeral Home Obituary page or leave condolences on the [Legacy Tribute Wall](#).

If you are looking for a different **Joseph Lauzon** (such as the professional mixed martial artist from the Boston area), or if you need help with **local Florida records**, let me know how to best assist you!

Dead people signing documents makes it very difficult for the building official to do his job. For any document required to meet the *fully revealed or expressed without vagueness, implication, or ambiguity : leaving no question as to meaning or intent* there must be some sort of third party verification.

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

Comment on Petitioner Question #5:

The answer to Petitioners question 5 is yes.

While HB 803 revised the statute to remove the requirement for DAR information at the time of registration, 553.791(5)(b) requires the building official to verify that insurance is in place for the private providers duly authorized representatives:

553.791(5)(b) The name, firm, address, telephone number, and e-mail address of each private provider who is performing or will perform such services; his or her professional license or certification number; and, if required by the local building official, a certificate of insurance demonstrating that professional liability insurance coverage is in place for the private provider's firm, the private provider, and any duly authorized representative in the amounts required by this section.

Statute requires the building official to verify insurance is in place for the specific DAR's performing inspections on a specific job. The requirement of a driver's license as a method of verification by government is standard practice. It is the least intrusive method of verification available.

Question 6. Is a private provider still required to resubmit copies of the DAR information and Certificate of Insurance with each NTBO?

Comment on Petitioner Question #6:

The answer to Petitioners question 6 is yes.

Since HB 803 the private required is not required to submit DAR information with registration but per 553.791(1)(f) is still required to submit that information with each permit application and is reasserted in 553.791(5)(c) when addressing changes in the private providers DAR's.

553.791(1)(f) “Duly authorized representative” means an agent of the private provider identified in the permit application who reviews plans or performs inspections as provided by this section and who is licensed as an engineer under chapter 471 or as an architect under chapter 481 or who holds a standard or provisional certificate under part XII of chapter 468. A duly authorized representative who only holds a provisional certificate under part XII of chapter 468 must be under the direct supervision of a person licensed as a building code administrator under part XII of chapter 468.

553.791(5)(c) If the fee owner or the fee owner’s contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner’s contractor shall, within 1 business day after any change or within 2 business days before the next scheduled inspection, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change.

Conclusion

I would urge that the Commission should answer “yes” in response to each of Petitioner’s questions. However, if the Commission determines the answer is “no” to one or more of the questions, I seek an explanation of the building officials’ responsibilities to ensure our practices are fully compliant with existing statute and with the legislative impact of HB803.