

Tew & Taylor

PRIVATE PROVIDER PLAN REVIEW • BUILDING CODE INSPECTIONS • PERMITTING

September 24, 2026

Florida Building Commission
Attn: Mo Madani, Building Codes and Standards Office
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399

Re: DS 2026-058, Petition for Declaratory Statement of My Amelia, Inc.

Dear Mr. Madani and Members of the Commission,

Tew & Taylor submits this comment in support of the petition for declaratory statement filed by My Amelia, Inc., and asks the Commission to answer each of the six questions as the petitioner requests. Tew & Taylor has provided private provider plan review and inspection services under section 553.791, Florida Statutes, since 2008, with offices in West Palm Beach, St. Petersburg, Orlando, and Jacksonville. We file Notices to Building Official with jurisdictions across the state every week, and the questions raised in this petition affect every one of those filings.

What is actually being proposed. The comment filed by Collier County on September 15 asks the Commission to hold that, before a permit application using a private provider can be accepted, the fee owner must execute a separate authorization that names the project, lists the scope of work, and is notarized or otherwise verified by a third party, and that the private provider must submit with every project the identity documents, dates of birth, and home addresses of each inspector along with its registration package and certificate of insurance. None of that is in the statute.

What it costs. Every element on that list is a step that has to happen before the permit clock starts. A notarized authorization means the contractor either sends the homeowner to find a notary or schedules a second visit to the home with one. A scope of work on the authorization means the authorization has to be rewritten every time the scope changes, and a change order becomes a reason to reject a notice. A packet of identity documents for each inspector means a private provider firm with a dozen representatives assembles and re-sends the same file hundreds of times a year, and the building department stores hundreds of copies of the same driver's licenses. The delay is measured in days for each permit and the cost is real: contractor labor, notary fees, office time on both sides, and the owner's time. On a residential re-roof, a water heater, or an air conditioning replacement, that added cost and delay is often the whole reason a private provider was chosen in the first place. When a jurisdiction can impose it at will, contractors stop using private provider services in that jurisdiction, and homeowners lose the option the legislature created and has consistently strengthened.

What it produces. Nothing. A notarized signature does not make a water heater less likely to leak or a roof more likely to hold up in a hurricane. A scope of work on the owner's authorization duplicates what is already on the permit application itself. A photo ID does not make a licensed inspector more qualified than the license number the Department already issued and publishes. The building official retains every inspection and enforcement authority the statute gives him

regardless of how the authorization is executed. These requirements do not protect the public. They protect a jurisdiction's preference for doing the inspections itself, on its own time.

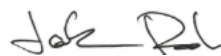
What the Legislature intended. HB 803 was written to make private provider services faster and cheaper to use: it shortened the review window, reduced permit fees for private provider projects, created a deemed-approval mechanism when jurisdictions do not act, and established registration under section 553.791(4) so a firm proves its credentials and insurance once rather than with every permit. A declaratory statement that allows jurisdictions to reconstruct the same friction through the owner authorization would defeat that purpose. Florida is in the middle of a construction affordability problem that the Legislature has addressed session after session, and the private provider statute is one of the few tools that lowers the cost of getting a permit without lowering the standard of the work. This Commission should not be the body that makes it more expensive.

The statute anticipates exactly this kind of added bureaucracy and forecloses it. Subsection (2)(e) provides that a local government or local building official may not require additional forms beyond those required at registration, other than the notice itself. Subsection (19)(a) prohibits any local law, rule, procedure, policy, qualification, or standard more stringent than the section prescribes. "Explicit" describes the character of the owner's consent: the owner must expressly authorize a private provider rather than leave it to be implied from hiring a contractor. A fee owner who signs the acknowledgment prescribed in subsection (5)(c), stating in the Legislature's own words that he or she has elected to use a private provider, has done exactly that.

Questions 5 and 6. Subsection (4) requires a private provider to register once with each jurisdiction and verify its licensure and the insurance required by subsection (20). Subsection (11) then provides that a local enforcement agency may not require additional verification of licensure or insurance beyond what is required at registration. That is the Legislature's answer to the verification concern Collier County raises. A building official may request a certificate of insurance with the notice under subsection (5)(b); nothing authorizes a jurisdiction to require an already-registered firm to re-submit its registration package with each project, or to collect photo identification, dates of birth, or home addresses from licensed professionals at any stage. Inspectors are verifiable by license number on the Department's public database, and their personal documents have no place in hundreds of public permit files.

For these reasons, Tew & Taylor asks the Commission to answer Questions 1 through 6 as requested by the petitioner. Thank you for your consideration.

Respectfully,



Jack Rauch
President, Tew & Taylor
625 N Flagler Dr, Suite 501
West Palm Beach, FL 33401