

**CODE ADMINISTRATION TECHNICAL ADVISORY COMMITTEE  
TELECONFERENCE MEETING FROM TALLAHASSEE  
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**JANUARY 31, 2022  
10:00 A.M.**

**Minutes**

**CODE ADMINISTRATION TAC PRESENT:**

David Gilson, Chairman  
Michael Bourré  
Bob Boyer  
Don Brown

Shane Gerwig  
Michael Guerasio  
Grey Marker  
John O'Connor

**STAFF PRESENT:**

Mo Madani  
Marlita Peters  
Jim Hammers

Justin Vogel  
Thomas Campbell

**Welcome**

**Time: 10:00 a.m.**

Ms. Peters welcomed everyone to the meeting of the Code Administration TAC.

**Roll Call:**

Ms. Peters performed roll call for the Code Administration TAC.

A quorum was determined with 8 members present at roll call.

**Agenda Approval:**

Mr. Bourré entered a motion to approve the agenda for today's meeting as posted. Mr. Marker seconded the motion. The motion passed unanimously with a vote of 8-0.

**Minutes from October 1, 2021:**

Mr. Boyer entered a motion to approve the minutes from October 1, 2021 as posted. Mr. Brown seconded the motion. The motion passed unanimously with a vote of 8-0.

**To review and provide recommendation to the Commission on Petition for Declaratory Statement DS 2022-002 by Allen Douglas of the American Council of Engineering Companies of Florida (ACEC-FL)**

Mr. Andrew Peeler, Esq. presented the petition.

Mr. Vogel provided the staff's analysis.

**TAC Clarifying Questions:**

Shane Gerwig asked a clarifying question.

Commissioner Gilson asked a clarifying question.

Commissioner Brown asked a clarifying question.

Michael Guerasio asked a clarifying question.

**Public Comment:**

Jim Shock provided a comment.

Joe Belcher, FHBA provided a comment.

**Motion:**

Mr. O'Connor entered a motion to recommend to the Commission staff's suggested answer to Petitioner's question. Mr. Bourré seconded the motion. The motion passed unanimously with a vote of 8-0.

**Petitioner's Question:**

Pursuant to Sections 553.79 and 553.791, Florida Statutes, may a qualified private entity perform both private provider services and required threshold inspections on the same threshold building?

**Staff's Suggested Answer:**

Yes; Section 553.79(5)(a) Florida Statutes, does not prohibit an entity from both performing special inspections on a threshold building and private provider services for that building. A special inspector does not "serve as a surrogate" for carrying out the responsibilities of the building official merely by providing private provider services, since the local enforcing agency possesses and retains various oversight responsibilities and powers with respect to both special inspections and private provider services.

As long as an entity has the appropriate qualifications to offer private provider services and to perform threshold inspections, the provisions of section 553.79(5), Florida Statutes, do not prohibit that entity from performing both private provider services and threshold inspections on the same building.

**Public Comment:**

None.

**Member and Staff Comment:**

None

**Adjourn:**

There being no further business before the Committee, Chairman Gilson adjourned the meeting at 10:38 a.m.