Hi Justin and Mo,

I see from item II.6 that since the SB-4D language contained the statement “(d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.”, that the legal interpretation is that the Legislature is aware that there are two separate terms, and that we will not be able to remove it from the inspection report.  However, I still have a concern that having a Structural Milestone Inspection require an Inspector to report on Unsafe Conditions, as defined by the FBC, will add many components to a Milestone Inspection which are

1. not mentioned within the definition of the “Milestone Inspection” or “Substantial Structural Deterioration” within the Statute Language,
2. not mentioned within the Phase 1 or 2 sections 553.899(7),
3. not mentioned in any other area of 553.899, and
4. not covered in the proposed Forms.

Due to this inconsistency, I fear that while the Legislature was aware that the two terms existed, perhaps they were not aware of the expansive, non-structural, nuances included within the term “unsafe”, and also the extensive scope required to determine if an unsafe condition is observed. The root of my concern is that if an Inspector is to report Unsafe conditions, we will need to add a lot of requirements to Chapter 18 Sections 1804 & 1807, specifically sections 1804.1.1, 1804.1.2, and the 1807 referenced forms.

In order to limit how many adjustments we will need to make to these other sections in order to address “unsafe” conditions, can we gain clarity or insight for which part(s) of the Unsafe definition the Legislature intended to have a Structural Milestone Inspection cover?

Below are copy/paste definitions of Dangerous and Unsafe, I have highlighted the items that are not within a structural milestone inspection’s purview, and which would need to be added to Sections 1804 & 1807 if “Unsafe” stays as is in Section 1806.1.  Simply put, “Dangerous” is a purely structural issue which creates an “Unsafe” condition, so “Dangerous” will ALWAYS be “Unsafe”.  The issue here is that several non-structural issues also create an “unsafe” condition, and to my understanding, those issues are not within the purview of a Milestone Inspection.

**DANGEROUS.**Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under permanent, routine or frequent loads; under actual loads already in effect; or under wind, rain, flood or other environmental loads when such loads are imminent.

**UNSAFE.**Buildings, structures or equipment that are unsanitary, or that are deficient due to inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or in which the structure or individual structural members meet the definition of “*Dangerous*,” or that are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

**Regards,**

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