**From:** Barry Subkow <bsubkow@icloud.com>   
**Sent:** Sunday, October 6, 2024 3:38 PM  
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**Subject:** Section 1808.3.1 of the Florida Building Code

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Doesn’t Section 1808.3.1 contravene the Section 553.899(11) provision and violate Section 120.52(8)(c) as shown below?  
  
Section 120.52(8)(c) provides that an existing rule is an invalid exercise of delegated legislative authority if…the rule contravenes the specific provisions of law.  I don’t understand the Commission’s current unwillingness to amend Section 1808.3.1 so that the milestone inspection repair deadline requires such repairs to commence within 365 days as required by Section 553.899(11). Section 1808.3.1 requires milestone inspection repairs to be completed within 180 days and Section 1808.3.2 allows a Building Official to grant a 185 day extension to complete the milestone inspection repairs.   
  
I realize that Section 1808.2 repair provision mirrors the milestone inspection repair provision, but I don’t understand why the Commission adopted a provision that contradicts the milestone inspection statute.  It seems to me that the Commission is making a rule rather than implementing a statute, even if the Commission’s intent is that milestone inspection repairs be completed in less than 365 days. That seems to require an amendment to the milestone inspection statute.

