

Madani, Mo

From: Josh Barry <josh@freedomcodecompliance.com>
Sent: Friday, May 15, 2026 12:30 PM
To: Madani, Mo
Cc: Kevin Klepac; Kesle Ffrench; Darren Christensen; Brittney Williams
Subject: Public Comment on HB 803 Private Provider Standardized Forms — Freedom Code Compliance Corp
Attachments: certificate_of_compliance.pdf; inspection_report.pdf

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Mr. Madani,

Thank you for the opportunity to comment on the proposed standardized Private Provider Inspection Report and Private Provider Certificate of Compliance forms required by HB 803 (2026). Freedom Code Compliance Corp ("FCC") is a Florida private provider operating statewide under section 553.791, Florida Statutes. FCC performs plan reviews and inspections exclusively through virtual inspection technology, services building departments and clients across the entire state, and operates on a purpose-built software platform that integrates with building-department permit systems to automate as much of the private-provider workflow as the underlying data permits. We file this comment from the perspective of an active, day-in-day-out user of these forms and of the workflows they govern.

Attached to this email are the two proposed alternative forms in PDF format. The remainder of this email explains the design thesis behind those forms, the fields we propose, and the fields and provisions advanced by other commenters that we respectfully oppose.

1. Design Thesis

The Legislature's intent in HB 803, and the long-standing intent of s. 553.791 itself, is to standardize and simplify the private-provider process for all parties — private providers, building departments, owners, and contractors alike. A form that re-introduces variability or administrative friction at the form level undermines that intent. With that in mind, FCC designed both proposed forms against two principles:

Principle 1 — Minimal required data. Every additional field on a standardized form is an additional opportunity for transcription error, system mismatch, and disagreement between the private provider and the building department. Where a field is not required to identify the project, identify the responsible private provider, record the substantive result of the inspection, or satisfy a specific provision of s. 553.791, it should not appear on the form.

Principle 2 — Deterministic fields only. Every field that does appear should be deterministic — meaning the same input will produce the same output (eg: $2 + 2 = 4$) rather than non-deterministic (requiring logical interpolation where the output can vary with the same input) — and can be populated from structured data already present in both the private provider's records and the building department's records. Permit Number, Project Address, Inspector Name, Inspector License Number, Inspection Type, and Inspection Result all meet this test. Fields such as "Description," "Summary," "Narrative," etc do not — they require a human or a non-deterministic AI system to compose original prose for every submission. Mandating non-deterministic fields on a statewide form forces every private provider in Florida to either employ administrative staff to write that prose, or, given the expanding prevalence of AI today, have an AI system compose it on their behalf. Either outcome runs directly counter to HB 803's stated purpose.

These two principles, applied honestly, produce a short form. That is the point. The simplicity is the value.

2. Proposed Fields — Inspection Report

The attached Inspection Report contains the following fields. Each is included because it satisfies one of the two principles above and is required either by s. 553.791 or by the practical needs of a Building Official receiving the document.

- **Date** — single date the inspections recorded on the form were performed.
- **Project Identification — Address.** Combined with Permit Number, this is the complete and unambiguous identifier of the project. Self-evident to the BD from the permit record.
- **Project Identification — Permit Number.** Same.
- **Private Provider Identification — Private Provider Firm.** Establishes the entity legally responsible for the inspection under s. 553.791.
- **Private Provider Identification — Inspector Name.** Identifies the individual who performed the inspection.
- **Private Provider Identification — License Number.** The license number, by its prefix, encodes the discipline of the inspector; a separate "license type" field is redundant.
- **Inspection Information — Type and Result.** A two-column table allowing one report to record one or more inspection results performed under the same authority on the same project on the same date. Result values are constrained to Pass, Partial Pass, Fail, and Canceled.
- **Comments.** A single free-text field for the inspector's optional narrative, retained because s. 553.791 contemplates the recording of deficiencies and because building departments routinely require a place to document atypical conditions. This field is **optional**; the form is valid without it.
- **Inspector Attestation.** Fixed language affirming the inspections were performed under the inspector's authority as a private provider or duly authorized representative pursuant to s. 553.791, and that the results recorded are a true and accurate representation of the inspections performed.
- **Signature.** Single signature line, executable electronically pursuant to s. 668.50, F.S.

That is the entire form.

3. Proposed Fields — Certificate of Compliance

The attached Certificate of Compliance contains the following fields:

- **Date.**
 - **Project Identification — Address and Permit Number.** Same rationale as above.
 - **Private Provider Identification — Firm, Private Provider Name, License Number.** Identifies the responsible entity and the qualifying individual signing the Certificate.
 - **Compliance Attestation.** Fixed language tracking s. 553.791, certifying that the inspected components and improvements have been completed in conformance with the approved plans and applicable codes, and requesting issuance of the certificate of occupancy and/or completion.
 - **Inspection Records note.** A short statement that the Certificate of Compliance shall be accompanied by either an inspection log or the individual inspection report pages for all inspections performed on the project. This eliminates the need for a cramped, free-text "Summary of Inspections" block on the Certificate itself; the underlying records carry the substantive information in their native, deterministic format.
 - **Signature.** Single signature line, executable electronically pursuant to s. 668.50, F.S., with a footnote clarifying that the Certificate may be executed by any individual qualifying as a Private Provider under s. 553.791 — including a licensed Building Code Administrator, Professional Engineer, or Registered Architect — who is employed by the Private Provider Firm identified above, and that notarization is not required when the form bears a valid electronic signature.
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4. Provisions We Respectfully Oppose

We have reviewed the comments officially received and posted on the FBC's 2026 Code Development page, as well as the discussions underway in the broader private-provider and building official communities. Several proposed additions and field structures would, in our view, undermine the design principles set forth above and the purposes of HB 803. We oppose the following:

4.1 Notarization of either form. The notarization of either form is not required anywhere in s. 553.791. Adding it introduces an administrative hurdle that delays permit closure with no corresponding statutory benefit. The Legislature has expressly authorized electronic execution and electronic transmission of these documents; mandating physical notarization is incompatible with that authorization.

4.2 Free-text "Description," "Summary," or "Narrative" fields. As discussed in Section 1, mandating prose-style fields on a standardized form forces every private provider in Florida to either staff administrative writing capacity or rely on non-deterministic AI systems for routine submissions. The Result field, constrained to a fixed set of values, is sufficient to convey the substantive outcome. Where a particular deficiency requires explanation, the Comments field handles that case in a way that remains optional and proportionate.

4.3 "In-Person vs. Virtual" inspection-modality indicators. Section 553.791 does not require disclosure of inspection modality, and the Legislature has expressly authorized inspections to be performed virtually. A field that surfaces the modality of every inspection on the face of the form creates a foreseeable basis for differential treatment by building departments of firms that perform virtual inspections — a result directly contrary to the statute. We oppose any field, checkbox, or attestation that requires this disclosure.

4.4 Owner, Applicant, Contractor, and similar party-identifier fields. These fields are not required by s. 553.791, and they may not be held in the private provider's records in any deterministic relationship to the permit. Any field that requires retrieval of a party identifier from the BD permit record will require manual lookup and transcription on every form. That transcription is the single largest source of avoidable error in current practice. The Permit Number, combined with the Project Address, is a complete and unambiguous reference to the responsible parties as they appear in the BD's own records — which is where that information is authoritative.

4.5 "Hold Harmless" or indemnification statements. Section 553.791(14) already addresses the allocation of liability between private providers and local enforcement agencies. A broad hold-harmless statement appended to every Certificate of Compliance would purport to reallocate that liability by private contract on every project — well beyond what the statute contemplates and well beyond what the Florida Building Commission has been authorized to require. We oppose the inclusion of any such language on either form.

4.6 Inspection-code, Inspection Report number, license-discipline, and PP/DAR-role fields. These fields are not required by s. 553.791; they vary from jurisdiction to jurisdiction; and they introduce non-deterministic data without corresponding regulatory benefit. The license number already encodes the discipline of the holder. The firm identified on the form is the entity responsible under the statute regardless of whether the individual signing is the private provider directly or a duly authorized representative thereof.

4.7 Time-of-inspection disclosure. Precise inspection start and stop times are not required by s. 553.791. The date of the inspection is sufficient.

4.8 BMEP/Gas Yes/No/N/A grid on the Certificate of Compliance. A "No" option on a per-trade compliance grid is erroneous on its face — a private provider would not, and could not under the statute, issue a Certificate of Compliance on a project where any required trade was non-compliant. The accompanying inspection log carries the per-trade record in its native form.

5. The Statutory Anchor — These Are the Forms

We respectfully draw the Commission's attention to two provisions of s. 553.791 that bear on the function of these forms once adopted:

Section 553.791(15) directs the Florida Building Commission to adopt a standardized inspection form and a standardized certificate of compliance for use by private providers. The forms the Commission adopts in this rulemaking are the forms required by statute. They are not a starting point for local supplementation, and they are not a model from which local jurisdictions may depart.

Section 553.791(19)(a) provides that "A local enforcement agency, local building official, or local government may not adopt or enforce any laws, rules, procedures, policies, qualifications, or standards more stringent than those prescribed by this section." A local jurisdiction's substitution of, supplementation to, or alteration of the FBC-prescribed forms — including the addition of required local fields, the imposition of local notarization requirements, the demand for local hold-harmless language, or the rejection of an FBC-prescribed form in favor of a local form — would, in our reading, fall within the conduct prohibited by this provision.

Both of our attached forms carry a footer note to that effect. We respectfully request that the Commission include comparable language in the final adopted forms, so that the operative legal status of the forms is unambiguous to every Building Official, private provider, and applicant who encounters them.

We raise this point with some urgency, and not hypothetically. In FCC's day-to-day operations, we routinely encounter building departments that insist on the use of their own jurisdiction-specific versions of the existing statewide Notice to Building Official of Use of Private Provider and the existing statewide Plan Review Compliance Affidavit — notwithstanding that both of those forms are themselves prescribed for statewide use. Some jurisdictions refuse to accept the standardized form altogether and require submission on a local form bearing the local seal, additional signature blocks, or supplementary attestations. Others accept the standardized form but condition acceptance on the submission of a parallel local form. The effect in every case is the same: a private provider operating statewide must maintain a constantly-shifting library of local form variants, and every local variant reintroduces the precise transcription burden, the precise opportunity for error, and the precise inter-jurisdictional inconsistency that a standardized form is supposed to eliminate.

This pattern is the present operational reality across a meaningful number of Florida jurisdictions, and it persists notwithstanding the existing statutory framework. Absent explicit and unambiguous language on the face of the FBC-adopted Inspection Report and Certificate of Compliance making clear that no local form may displace or supplement either of them, we have every practical reason to expect the same pattern to repeat with the HB 803 forms within weeks of their adoption. We therefore urge the Commission to take two prophylactic steps in this rulemaking:

1. Include footer language on each adopted form expressly identifying it as the FBC-prescribed form under s. 553.791, citing s. 553.791(19)(a), and stating in plain terms that no local form may be required or accepted in its place for the purpose for which the form is intended.
2. Issue, alongside the adopted forms, a brief technical advisory or interpretive memorandum to local enforcement agencies confirming the same — so that the statutory effect of these forms is communicated to the field, and not left for each private provider to litigate, jurisdiction by jurisdiction, on a permit-by-permit basis.

6. Anticipated Counter-Arguments

We anticipate that several Building Officials and local jurisdictions will advocate for additional fields and additional procedural requirements during this comment period — many of which mirror the items we oppose in Section 4 above. We respectfully submit that those proposals, however well-intentioned, are difficult to reconcile with HB 803's standardization mandate and with the express prohibition on more-stringent local requirements in s. 553.791(19)(a). The forms the Commission adopts should be the forms the State of Florida actually wants used in every jurisdiction. They should not be a baseline from which local discretion expands.

7. Closing

FCC has prepared the attached PDF forms as a constructive proposal — not as a final-word position, but as a working artifact reflecting the design principles set out above. We would welcome the

opportunity to discuss any of this in greater depth, and we are available at the contact information below.

Thank you again for the opportunity to comment, and for the work you and the Commission are undertaking on behalf of every private provider, building department, and applicant in the state.

Regards,

