



Palm Beach County
MINUTES
LOCAL CONSTRUCTION REGULATION BOARD (LCRB)

September 12, 2019

I. ADJOURN AS CBAA/CONVENE AS LOCAL CONSTRUCTION REGULATION BOARD (LCRB)

Chairman Ron Dixon adjourned the CBAA meeting and reconvened as the LCRB at approximately 2:28 PM. The meeting was conducted in Room 1W-47, Palm Beach County Planning, Zoning and Building Department, 2300 North Jog Road, West Palm Beach, Florida.

a. ATTENDANCE

i. Members Present

Ron Dixon, Engineer, Chair
Bart Rasper, Plumbing Contractor
Manuel Oyola, Roofing Contractor
Jessica Dornblaser, Architect

Rex Kirby, Division 1 Contractor, Vice Chair
Steven Markel, HVAC Contractor
Margie Walden, Public At-Large
Justin McIntosh, Alternate Public At-Large

ii. Members Absent

Fred K. Kutscher, Electrical Contractor

iii. Others Present

Doug Wise, Building Official, PBC
Brad Brown, Deputy Building Official, PBC
Chelsea Koester, Assistant County Attorney
Dean Wells, Construction Services Coordinator
Thomas Banzhaf, Construction Services Coordinator
Jamie Illicete, Contractors Certification Field Inspector

Giselle Badillo, Recording Secretary
William Fuchs, Chief Electrical Inspector
Shannon Fox, Assistant County Attorney
Michael Pereira, Defendants
Jim Humpage, JPH of Broward

b. APPROVAL OF MINUTES

Mrs. Walden made a motion to approve the November 9, 2017 Minutes. Mrs. Oyola seconded the motion, which was approved unanimously by the Board.

- ✓ **MOTION TO APPROVE THE LOCAL CONSTRUCTION REGULATION BOARD MINUTES FROM NOVEMBER 9, 2017 – GRANTED**

II. NEW BUSINESS

a. 2016-0013/2018-19957 - Michael Pereira [CGC-1512017 & CGC-1525732] - PALM HOME IMPROVEMENT, INC.

Mr. Wise began the discussion presenting background information regarding the case. According to Mr. Wise the contractor was hired for renovations on a condominium. The case was brought to his attention after the tenants received a 150-day expiration notice that their permit was about to go inactive. As a courtesy, he contacted the Contractor on their homeowner's behalf to advise of the notice and to schedule an inspection. The response from Mr. Pereira was that the owners have not completed payment. The conversation with Mr. Pereira ended after receiving this information.

Mr. Wise continued his opening statement by explaining that his conversation with Mrs. Strauss continued after speaking with Mr. Pereira. The permit that was soon to be inactive was for a patio enclosure, but Mrs. Strauss was discussing renovations done in her kitchen.

Mr. Wise introduced Ms. Illicete as one of the two Palm Beach County Contractors Certification Field Inspectors that were involved in the investigations. Demonstrate that Mr. Pereira violated willful code violations by not obtaining permits for the complete scope of work. In addition, the failure to get a final inspections would establish abandonment of the one permit he received under his license. Mr. Pereira also failed to hire the proper licensed contractors to perform the work at the property.

Mr. Wise further explained the charges and closed his opening statement. He then invited Mr. Pereira to begin his opening statement.

Mr. Pereira was present for the hearing. He presented evidence that a Notice of Hearing was received in August 28, 2019; on September 7, 2019 he received the Administrative Complaint; and on September 10, 2019 he received a copy of the Exhibits.

Mr. Pereira testified that the Notice of Hearing did not reference the matter of the hearing nor the counts held against him. In addition, the Notice of Hearing advised that as a respondent it was his responsibility to provide evidence supporting his position to the county staff 7 days prior. He argued that without sufficient information about the case that was provided in the Administrative Complaint received September 7, 2019 he was unable to submit any evidence on his behalf.

Attorney Fox questioned Mr. Pereira on the date the Notice of Hearing was received. Mr. Pereira stated that it was received on September 7, 2019. Attorney Fox asked the respondent if a Notice of Hearing was ever received in August 24, which received a negative as a response from Mr. Pereira.

Mr. Wise indicated that the Building Division had not objection to granting an extension.

Attorney Fox moved that since Mr. Pereira is requesting an extension and the Building Official has no objection to the request that the matter be heard at a later date.

Mr. Pereira requested 90 days to have the opportunity to possibly acquire counsel.

DISCUSSION ENSUED.

Attorney Fox suggested that a 60 day continuation is a more reasonable request.

Ms. Walden made a motion to grant a 60-day extension to respondent. The motion was seconded by Mr. Oyola and unanimously approved.

✓ **MOTION FOR A 60-DAY EXTENSION – GRANTED**

III. BOARD MEMBERS COMMENTS

a. None

IV. STAFF COMMENTS

a. None

V. ADJOURNMENT

The LCRB meeting was adjourn on September 12, 2019 at approximately 2:41 pm by Ron Dixon, Chair.

Signed for the Board by,



Ron Dixon
Chair

Respectfully submitted,
Giselle Badillo
Recording Secretary