

## **Probable Cause Panel Meeting April 26, 2004**

*On April 26, 2004, in [Disciplinary Cases](#), by Smith Thompson Law*

**April 26, 2004**

### **I. Unlicensed Cases**

**Cleveland Acree  
Paradise Architectural Drafting and Design  
Case No. 2003-070980**

Probable Cause was found that Cleveland Acree of Mexico Beach, Florida is not licensed and his business card offers services under the name “Paradise Architectural Drafting and Design”. A Notice and Order to Cease and Desist was issued on this case, along with a request that Mr. Acree sign an affidavit stating he will refrain from holding himself out as an architect and will change his business name and business card deleting architectural. Further, Mr. Acree will no longer offer such services in the future. If Mr. Acree fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**ADAAG Consulting Services, LLC  
Ricardo Londono  
Case No. 2003-091368**

Probable Cause was found that ADAAG of Miami, Florida is not licensed and were offering architectural consulting and architectural accessibility plans review on its webpage. A Notice and Order to Cease and Desist was issued on this case, along with a request that Mr. Londono sign an affidavit stating he will refrain from offering architectural services and that he changed his webpage deleting references to architectural consulting and architectural accessibility plans review. If Mr. Londono fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Architectural Elements & Design  
Gary Deluca  
Case Nos. 2003-001125 & 2004-001116**

Probable cause was found that Architectural Elements & Design and Gary Deluca of Ft. Lauderdale, Florida are not licensed. Mr. Deluca is doing business as Architectural Elements & Design and his brochure offers architectural and interior design services. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Deluca sign an affidavit stating he will refrain from offering architectural and interior design services, change his business name and brochure deleting references to architecture or interior design. If Mr. Deluca fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**BAE Building & Design**  
**Robert Abcug**  
**Case No. 2004-001872**

Probable Cause was found that neither BAE Building & Design nor Robert Abcug of Pompano Beach, Florida are licensed. Mr. Abcug offered services as an architect in an advertisement in the December 9, 2003 edition of the Palm Beach Post. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Abcug sign an affidavit stating he will refrain from holding himself out as an architect or words to that effect and will refrain from providing architectural services through BAE Building & Design unless properly licensed. If Mr. Abcug fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Vincent A. Biscombe**  
**Case No. 2003-085864**

Probable cause was found that Vincent Biscombe of Miami, Florida is not licensed and signed a contract for architectural services to provide drawings for a residence. Mr. Biscombe also signed the contract using the designation "Architect". An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Susan Burgess**  
**The Heartland Group**  
**Case No. 2003-084621**

Probable cause was found that Susan Burgess of Pensacola, Florida is not licensed and entered into a contract to provide architectural services for the River Colony Condominium in Escambia County, Florida. Further, Ms. Burgess' sign at the project site offered architectural services. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**K.C. Burmester, III**  
**KC's Architectural Design & Drafting**  
**Case No. 2003-083485**

Probable Cause was found that K.C. Burmester, III of Ocala, Florida is not licensed and his business card offers "Architectural Design and Drafting" as well as commercial design. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Burmester sign an affidavit stating he will refrain from offering or providing architectural or commercial design services and will change his business card deleting any reference to architectural or commercial design. If Mr. Burmester fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Seth Campbell**  
**Paradise Architectural Drafting and Design**  
**Case No. 2003-092872**

Probable Cause was found that Seth Campbell of Mexico Beach, Florida is not licensed and his business card offers services under the name "Paradise Architectural Drafting and Design". A Notice and Order to Cease and Desist was issued, along with a request that Mr. Campbell sign an affidavit stating he will refrain from holding himself out as an architect and will change his business card and business name deleting any references to architectural or words to that effect. If Mr. Campbell fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Lee Deering**  
**Deering Drafting and Design**  
**Case No. 2003-081907**

Probable cause was found that Lee Deering of Naples, Florida is not licensed and his business card offers architectural drafting. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Deering sign an affidavit stating he will refrain from holding himself out as an architect or words to that effect and will change his business card deleting any references to architectural or words to that effect. If Mr. Deering fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Miguel L. Diaz-Perna**  
**Case No. 2004-001963**

Probable cause was found that Miguel Diaz-Perna of Miami, Florida is a licensed landscape architect in Florida but not a licensed architect. Mr. Diaz-Perna entered into a contract to provide plans for a residence and he used the designation "L Architect". A Notice and Order to Cease and Desist was issued, along with a request that Mr. Diaz-Perna sign an affidavit stating he will refrain from holding himself out as an "L Architect" and will change his contract deleting any reference to "L Architect". If Mr. Diaz-Perna fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Howard S. Ellman**  
**Dynamic Designs, Inc.**  
**Case No. 2004-007468**

Probable cause was found that Howard Ellman of Birmingham, Michigan is a licensed architect in Michigan but not in Florida. Mr. Ellman sent correspondence to his client with an attached proposal for "architectural drawings" for a family fun center in St. Lucie, Florida which included a bowling alley. The proposal described architectural services. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Hector C. Fernandez**  
**Jarosz Architects, P.A.**  
**Case No. 2003-096574**

Probable cause was found that Hector Fernandez of Coconut Grove, Florida is not licensed and is employed by the licensed firm of Jarosz Architects, P.A. The firm's webpage listed Mr.

Fernandez as an architect. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Fernandez sign an affidavit stating he will refrain from holding himself out as an architect and will change his website deleting any references to architecture or words to that effect. If Mr. Fernandez fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Douglas Hayes**  
**Hayes World Development Corp.**  
**Case No. 2003-054010**

Probable cause was found Douglas Hayes of Port St. Lucie, Florida is not licensed and his company is listed as the architect for a daycare center in a City of Port St. Lucie building permit application. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Hayes sign an affidavit stating he will refrain from holding himself out as an architect and will prepare an affidavit for the Building Department notifying them that he is not an architect. If Mr. Hayes fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Vincent Hemphill**  
**Jarosz Architects, P.A.**  
**Case No. 2003-096591**

Probable cause was found that Vincent Hemphill of Coconut Grove, Florida is not licensed and is employed by the licensed firm of Jarosz Architects, P.A. The firm's webpage listed Mr. Hemphill as an architect and interior designer. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Hemphill sign an affidavit stating he will refrain from holding himself out as an architect or interior designer and will change his website deleting any references to architecture or interior design or words to that effect. If Mr. Hemphill fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**George Lacancellera**  
**Case No. 2004-001844**

Probable cause was found that George Lacancellera of Boynton Beach, Florida is not licensed and submitted an application to the Florida Department of Business and Professional Regulation for licensure as a provisional plans examiner. Mr. Lacancellera listed his occupation as an "Architectural Consultant" from 1980 to 2003. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Lacancellera sign an affidavit stating he will refrain from holding himself out as an "Architectural Consultant" and has changed his application deleting any reference to "Architectural Consultant" or words to that effect. If Mr. Lacancellera fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Terry Lodge**  
**White Heart Designs**  
**Case No. 2003-083531**

Probable Cause was found that Terry Lodge of Debarry, Florida was not a licensed architect and entered into an oral contract to provide architectural drawings for a commercial building. Although the plans were signed and sealed by a licensed professional engineer, the architectural sheets were copyrighted by Mr. Lodge. Also, on the site and civil sheets Mr. Lodge is listed as the architect on the cover page. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Bryan Molyet**  
**Molyet Engineering**  
**Case No. 2003-083518**

Probable Cause was found that Bryan Molyet of DeLand, Florida is a licensed professional engineer but not a licensed architect. Mr. Molyet signed and sealed plans for a motorcycle dealership without the involvement of an architect. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Leyla Murillo**  
**Jarosz Architects, P.A.**  
**Case No. 2003-096582**

Probable cause was found that Leyla Murillo of Coconut Grove, Florida is not licensed and is employed by the licensed firm of Jarosz Architects, P.A. The firm's webpage listed Ms. Murillo as an architect. A Notice and Order to Cease and Desist was issued, along with a request that Ms. Murillo sign an affidavit stating she will refrain from holding herself out as an architect and will change her website deleting any references to architecture or words to that effect. If Ms. Murillo fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Andrew Narcus**  
**Case No 2003-054003**

Probable cause was found that Andrew Narcus of Loxatchee, Florida is a licensed professional engineer but not a licensed architect. Mr. Narcus signed and sealed plans for a daycare center without the involvement of an architect. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Keith Parker**  
**K.P. Inc.**  
**Case No. 2003-057706**

Probable cause was found that Keith Parker of Palm Coast, Florida is not licensed and contracted to provide architectural services on a commercial project known as the Cypress Mall. Although the plans were signed and sealed by a licensed professional engineer, Mr. Parker entered into the contract which described his services as architectural. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**David A. Pillsbury**  
**Lines of Ocala**  
**Case No. 2004-001856**

Probable Cause was found that David Pillsbury of Ocala, Florida is not licensed and contracted to provide design services for a medical facility. Although Mr. Pillsbury was working with a licensed professional engineer, the contract was with Mr. Pillsbury's company and he received payment directly from the client. The services that were offered to the client clearly fall within the definition of architecture. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Pylon Group**  
**Case No. 2003-044645**

Probable cause was found that Pylon Group of Miami, Florida does not have a certificate of authorization and is offering architectural services on its letterhead and on an invoice. A Notice and Order to Cease and Desist was issued, along with a request that Eduardo Vazquez sign an affidavit stating he will refrain from providing architectural services through Pylon Group unless it becomes properly licensed. Further, he will change the firm's letterhead deleting the term architectural. If Mr. Vazquez fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Juan Carlos Ricardes**  
**Case No. 2003-092298**

Probable cause was found that Juan Carlos of Tampa, Florida is not licensed and his business card offers architecture. Further, his website holds him out as a project architect. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Ricardes sign an affidavit stating he will refrain from holding himself out as an architect and will change his business card and website deleting any reference to architecture or words to that effect. If Mr. Ricardes fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Laurence O. Rubel**  
**Wahoo Bay Designs**  
**Case No. 2003-071894**

Probable Cause was found that Laurence Rubel of Ft. Lauderdale, Florida is not licensed and entered into a contract to provide architectural services on a residence. Further, Mr. Rubel signed a letter to the complainant as "Project Architect". An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**James Taylor**  
**Design West Associates**  
**Case Nos. 2003-065572 & 2003-065576**

Probable Cause was found that James Taylor is not licensed and Design West Associates does not have a certificate of authorization to offer architectural services. Mr. Taylor contracted to provide architectural services on commercial property. Further, Mr. Taylor held himself out as an architect in the contract. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

**Pauline A. Vileno**  
**Yesterday, Today, Tomorrow Interiors**  
**Case No. 2003-085064**

Probable Cause was found that Pauline Vileno is not licensed and offered commercial design services on her business card. A Notice and Order to Cease and Desist was issued, along with a request that Ms. Vileno sign an affidavit stating she will refrain from offering commercial design services and will change her business card deleting any reference to commercial design. If Ms. Vileno fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**John Zonata**  
**Zonata's Architectural Drafting Services**  
**Case No. 2003-070899**

Probable cause was found that John Zonata of Tampa, Florida is not licensed and prepared an invoice to provide drafting services for a residence. The letterhead on the invoice states "Zonata's Architectural Drafting". Further, in correspondence with the Building Department he referred himself as an "Architectural Draftsman". A Notice and Order to Cease and Desist was issued, along with a request that Mr. Zonata sign an affidavit stating he will refrain from holding himself out as an architect and will change his letterhead deleting any reference to architectural or words to that effect. If Mr. Zonata fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

## **II. Licensed Cases**

**Wayne M. Allen**  
**Case No. 2003-084617**

Probable Cause was found that Wayne Allen, a licensed architect, signed and sealed a set of drawings for a condominium in Escambia County, Florida. Mr. Allen met with the client and prepared all of the drawings; however, the original contract for the services was with an unlicensed firm. Mr. Allen had an oral contract with the unlicensed firm to provide architectural services. Mr. Allen was paid by the unlicensed firm and the firm collected the fees from the client. An Administrative Complaint seeking discipline was filed.

**Thomas Bachtold**  
**Thomas Bachtold & Associates**  
**Case No. 2003-080571**

Probable Cause was found that Thomas Bachtold, a licensed architect in Florida, had his Tennessee license to practice architecture disciplined. An Administrative Complaint seeking discipline was filed.

**Michael Bissell**  
**Bissell Architects, P.A.**  
**Case No. 2003-045810**

Probable Cause was found that Michael Bissell of Jacksonville Beach, Florida, a licensed architect, operates a business that performs inspections for the Jacksonville Building Department. Mr. Bissell submitted false inspection reports and allowed an electrical inspector to perform structural inspections who was not licensed to perform such inspections. An Administrative Complaint seeking discipline was filed.

**Charles McKirahan, Jr.**  
**Case No. 2003-054049**

Probable Cause was found that Charles McKirahan of Pompano Beach, Florida, a licensed architect, sealed a set of plans for the Bermuda Park Condominium. The plans were prepared by Phillip H. St. Louis who is a certified general contractor. Mr. St. Louis was also the part owner of the project. Mr. McKirahan has a desk at Mr. St. Louis's office; however, he is not an employee of his company. Mr. McKirahan failed to exercise proper responsible supervisory control. An Administrative Complaint seeking discipline was filed.

**Randall Marks**  
**Case No. 2003-081766**

Probable Cause was found that Randall Marks of St. Petersburg, Florida, a licensed architect, is the architect of record for the alteration and remodeling of an existing store in a shopping center. The design required a major alteration of two interior masonry bearing walls and partial removal of two interior drywall demising walls. The plans were reviewed by Frank Abbott along with other materials pertinent to the case. Two professional engineers found the design to be inadequate and some form of remedial work will be required to ensure the structural adequacy of the walls as modified. An Administrative Complaint seeking discipline was filed.