

Probable Cause Panel Meeting August 28, 2006

On August 28, 2006, in [Disciplinary Cases](#), by Smith Thompson Law

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I. Unlicensed Cases

**Abinader Home Theaters, Inc.
Tony Z. Abi-Nader**

Probable cause was found that Abinader Home Theater, Inc. of Miami, Florida is not licensed to practice architecture in Florida and is offering architectural services on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Abi-Nader sign an affidavit stating the firm will refrain from offering architectural services and will change its website deleting any references to architecture or words to that effect. If Mr. Abi-Nader fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Abite Design, Inc.
Maximo Tejada
Case No. 2006-025974**

Probable cause was found that Abite Design, Inc. of Naples, Florida is not licensed to practice architecture in Florida and is offering such services on its business card and in an advertisement. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Tejada sign an affidavit stating the firm will refrain from offering such services in the future and will change the firm's business card and advertisement to delete any references to architecture or words to that effect. If Mr. Tejada fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Michael Bataille
Drafting Design Services, Inc.
Case No. 2006-027598**

Probable Cause was found that Michael Bataille of Winter Haven, Florida is not licensed to practice architecture in the State of Florida and contracted to provide design services for a residence. The plans required the seal of a licensed architect. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Bataille sign an affidavit stating he will refrain from offering architectural services or words to that effect. If Mr. Bataille fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Mario V. Blanco
Case No. 2005-062510

Probable Cause was found that Mario V. Blanco of Miami, Florida is not licensed to practice architecture in the State of Florida and contracted to provide drawings for a residence that were signed and sealed by an architect. Further, Mr. Blanco is holding himself out as an architectural designer. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Bodei Contracting, Inc.
Scott Bodei
Case No. 2005-049304

Probable cause was found that Bodei Contracting, Inc. of West Palm Beach, Florida is not licensed to practice architecture in Florida and is listed under the architects heading in the yellow pages. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Bodei sign an affidavit stating the firm will refrain from offering architectural services and will change the listing in the yellow pages. If Mr. Bodei fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Clive Booker
Design Spectrum International, Inc.
Case Nos. 2005-002161 & 2005-002171

Probable Cause was found that Clive Booker of Miami, Florida is not licensed to practice interior design in Florida and contracted to provide such services. Further, Mr. Booker held himself out as an interior designer and is offering such services through a business entity without a certificate of authorization. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Susan J. Burgess
The Heartland Group
Case No. 2005-053071

Probable Cause was found that Susan Burgess of Pensacola, Florida is not licensed to practice architecture in the State of Florida and entered into a contract with the owner to provide consulting services as the owner's agent to obtain architectural plans. The owner then entered a contract with the Florida licensed architect to perform the services. Ms. Burgess is referenced in the contract between the owner/architect as the owner's designated representative. Ms. Burgess was paid the total design fee from the owner and paid the architects directly. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Paula Caldas
D-Essentials, Inc.
Case Nos. 2005-026226 & 2006-026214

Probable Cause was found that Paula Caldas and D-Essentials, Inc. of Weston, Florida is not licensed to practice architecture or interior design in the State of Florida and are offering architectural and interior design services on their website. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Giovanni Caretti
Caretti Turner Associates, Inc.
Case No. 2006-028562

Probable cause was found that Giovanni Caretti of Miami, Florida is not licensed to practice architecture in Florida and is offering such services in an advertisement in the Florida Design Magazine and on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Caretti sign an affidavit stating he will refrain from offering architectural services and will change the advertisement deleting any references to architecture or words to that effect. If Mr. Caretti fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

T. Russell Debose
TR Debose Architectural Design & Elements
Case No. 2005-041791 & 2006-033103

Probable Cause was found that T. Russell Debose of Indialantic, Florida is not licensed to practice architecture in the State of Florida and is doing business as TR Debose Architectural Design & Elements. Mr. Debose's title block appeared on a set of drawings for a commercial project that were signed and sealed by a Professional Engineer. A Notice and Order to Cease and Desist and an Administrative Complaint seeking fines was filed.

Duffy Complete Relocation
Steve W. Duffy
Case No. 2005-047542

Probable Cause was found that Duffy Complete Relocation of Hollywood, Florida is not licensed to practice architecture or interior design in the State of Florida and is offering such services in both a brochure and on its website. The firm lists many commercial projects in which it provided these services. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Julian Fajardo
Case No. 2006-026240

Probable cause was found that Julian Fajardo of Miami, Florida is not licensed to practice architecture in Florida and is holding himself out as an architect on his company's website. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Fajardo sign an affidavit stating he will refrain from holding himself out as an architect and will change the company's website deleting any references to architecture or words to that effect. If Mr. Fajardo fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Tracy A. Gregory
TAG for Design
Case No. 2005-063289

Probable Cause was found that Tracy Gregory of Palm Harbor, Florida is not licensed to practice architecture in Florida and prepared preliminary drawings for the Tampa Hotel and presented the drawings to the Tampa City Historic Preservation Architectural Review Committee. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Felix Gurruchaga
Case No. 2005-060185

Probable Cause was found that Felix Gurruchaga of Miami Florida is not licensed to practice architecture in the State of Florida and contracted to provide architectural services for a commercial project. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Kitzman Interior Design Solutions, Inc.
Gordon Kitzman
Case No. 2006-025567

Probable Cause was found that Kitzman Interior Design Solutions, Inc. of Orange Park, Florida is not licensed to practice interior design in the State of Florida and is offering interior design services over the Internet. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Thomas Lamb
Thomas Everett Lamb Design
Case No. 2006-024961

Probable cause was found that Thomas Lamb of Tampa, Florida is not licensed to practice architecture in Florida and prepared plans for a residential project. Notes in the title block make reference to an architect. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Lamb sign an affidavit stating he will refrain from offering architectural services and will change his notes on the title block deleting any references to architecture or words to that effect. If Mr. Lamb fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

L. Reese Cumming Interiors, Inc.

L. Reese Cumming

Case No. 2006-0

Probable cause was found that L. Reese Cumming Interiors, Inc. of Naples, Florida is not licensed to practice architecture in Florida and is offering such services in an advertisement that appeared in the Naples Design Magazine. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Cumming sign an affidavit stating he will refrain from offering architectural services and will change the advertisement deleting any references to architecture or words to that effect. If Mr. Cumming fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

William Michalski, Jr.

WM Residential Designs

Case No. 2005-046554

Probable Cause was found that William Michalski of Jacksonville, Florida is not licensed to practice architecture in the State of Florida and entered into an oral contract to perform architectural services for a retail coffee shop. Further, Mr. Michalski held himself out as an architect to the complainant. Mr. Michalski was paid but never provided any drawings. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Monaco Interiors Group, Inc.

Tiffany Wooley

Case Nos. 2005-063569 & 2005-063487

Probable Cause was found that Monaco Interiors Group, Inc. of Boca Raton, Florida is not licensed to practice interior design or architecture in the State of Florida and is offering interior design and architectural services in an advertising brochure. Further, the firm is holding out employees as interior designers even though they are not licensed. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Andrew B. Parker
Parker & Company
Case No. 2005-46407

Probable Cause was found that Andrew Parker of Palm Beach, Florida is not licensed to practice architecture or interior design in the State of Florida and his title block offers both architectural and interior design services. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Milton Pasco
MP Construction Consultants & Assoc.
Case No. 2005-059311

Probable Cause was found that Milton Pasco of Oldsmar, Florida is not licensed to practice architecture in the State of Florida and entered into a contract to provide design services for a commercial project. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Salini Design
B. Displays, Inc. and Arturo Belkind
Case No. 2005-038053

Probable Cause was found that Salini Design of North Miami, Florida is not licensed to practice interior design in the State of Florida and its website offers interior design service. Further, it lists commercial projects in which it provided design services. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Francisco Sermer
Case No. 2005-025255

Probable Cause was found that Francisco Sermer of Oakland Park, Florida is not licensed and held himself out as an architect and contracted to provide architectural services for a residence. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

James E. Taylor
Design West Associates, Inc.
Case No. 2006-025812

Probable Cause was found that James Taylor of Orlando, Florida is not licensed to practice architecture in the State of Florida and prepared drawings to remodel a residence. Mr. Taylor's business card, letterhead, and title block offer architectural services. Further, Mr. Taylor held himself out as an

architect to the client. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

Earnest D. Turner
Caretti Turner Associates, Inc.
Case No. 2006-028578

Probable cause was found that Earnest of Miami, Florida is not licensed to practice architecture in Florida and is offering such services in an advertisement in the Florida Design Magazine and on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Turner sign an affidavit stating he will refrain from offering architectural services and will change the advertisement deleting any references to architecture or words to that effect. If Mr. Turner fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Tuscany, Inc.
Gary Foleno
Case No. 2005-041803

Probable Cause was found that Tuscany, Inc. of Melbourne, Florida is a licensed general contractor but not licensed to practice architecture in the State of Florida. The firm's title block on a set of commercial drawings offers architectural services. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

James E. Walsh
Case No. 2005-041820

Probable Cause was found that James Walsh of Merritt Island, Florida is a licensed professional engineer but not licensed to practice architecture in the State of Florida and is offering architectural engineering services on his title block. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Walsh sign an affidavit stating he will refrain from offering architectural services and will change his title block. If Mr. Walsh fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Kristen Woodcox
Designs by Woody, Inc.
Case No. 2006-060275

Probable cause was found that Kristen Woodcox of Hollywood, Florida is not licensed to practice architecture in Florida and is offering architectural interiors on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Ms. Woodcox sign an affidavit stating she will

refrain from offering architectural services will change her website deleting any references to architecture or words to that effect. If Ms. Woodcox fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

I. Licensed Cases

Ames Bennett

Ames Bennett & Associates, P.A.

Case No. 2005-046441

Probable Cause was found that Ames Bennett of Palm Beach, Florida, is a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. Mr. Bennett's title block was in violation. Mr. Bennett signed and sealed plans that contained the title block of a drafting company offering architectural and interior design services. An Administrative Complaint seeking discipline was filed.

Marjorie Berg

Case No. 2005-018930

Probable Cause was found that Marjorie Berg of Boca Raton, Florida, a licensed interior designer in the State of Florida, violated Chapter 481, Florida Statutes. Ms. Berg failed to provide to the Board of Architecture and Interior Design proof of completion of the core curriculum courses, or pass the equivalency test of the Building Code Training Program and a citation was issued. The citation was served by certified mail to Ms. Berg's address of record twice. Both times it was returned to the office. Therefore, Ms. Berg failed to respond to the citation. An Administrative Complaint seeking discipline was filed.

David Berton

Case No. 2005-015519

Probable Cause was found that David Berton of Denver, Colorado, a licensed architect in the State of Florida, violated Chapter 481, Florida Statutes. Mr. Berton failed to provide to the Board of Architecture and Interior Design proof of completion of the core curriculum courses, or pass the equivalency test of the Building Code Training Program and a citation was issued. The citation was served by certified mail to Mr. Berton's address of record three times. Mr. Berton failed to respond to the citation and an Administrative Complaint seeking discipline was filed.

Bruce C. Bower

Case No. 2006-027583

Probable Cause was found that Bruce Bower of Winter Haven, Florida, a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. Mr. Bower signed and sealed drawings for a residence without ever meeting with the client. An unlicensed draftsman had the contract with the client and paid Mr. Bower directly. Mr. Bower's title block contained his phone number and address. Further, in responding to this complaint, Mr. Bower failed to include his license number in his letterhead. An Administrative Complaint seeking discipline was filed.

John H. Bowley
Case No. 2005-018175

Probable Cause was found that John H. Bowley of Houston, Texas, a licensed architect in the State of Florida, violated Chapter 481, Florida Statutes. Mr. Bowley failed to provide to the Board of Architecture and Interior Design proof of completion of the core curriculum courses, or pass the equivalency test of the Building Code Training Program and a citation was issued. The citation was served by certified mail to Mr. Bowley's address of record, but there was no response. An Administrative Complaint seeking discipline was filed.

Susan Breitbart
Case No. 2005-020909

Probable Cause was found that Susan Breitbart of Cooper City, Florida, a licensed interior designer in the State of Florida, violated Chapter 481, Florida Statutes. Ms. Breitbart failed to provide to the Board of Architecture and Interior Design proof of completion of the core curriculum courses, or pass the equivalency test of the Building Code Training Program and a citation was issued. The citation was served by certified mail to Ms. Breitbart's address of record, but it was returned to the office. An Administrative Complaint seeking discipline was filed.

Patricia Kukes
Kukes & Simons Interiors, Inc.
Case No. 2005-056883

Probable Cause was found that Patricia Kukes of Boca Raton, Florida, a licensed interior designer in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Ms. Kukes when she renewed her license. Ms. Kukes affirmed at renewal that she had completed the required hours; however, she provided evidence of having taken only four continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

Lisa Hampton Lovetto
Case No. 2005-056873

Probable Cause was found that Lisa Hampton Lovetto of Naples, Florida, a licensed interior designer in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Ms. Lovetto when she renewed her license. Ms. Lovetto affirmed at renewal that she had completed the required hours; however, she provided evidence of only 17 continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

RJ McDonald
Case No. 2005-045927

Probable Cause was found that RJ McDonald of Whitestone, New York, a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Mr. McDonald when he renewed his license. Mr. McDonald affirmed at renewal that he had completed the required hours; however, he provided evidence of having taken only 18 continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

Moulton Layne, PL
David Moulton
Case No. 2005-023847

Probable Cause was found that Moulton Layne, PL of Vero Beach, Florida, is a licensed architectural firm in the State of Florida and violated chapter 481, Florida Statutes. The firm failed to notify the owner of change orders during the course of construction. The contract required the firm to prepare change orders for the owner's approval. The firm also allowed an employee to hold himself out as an architect when he was not licensed. The file was reviewed by the board's expert, Jerry Hicks, who concurred with the charges. An Administrative Complaint seeking discipline was filed.

Ramji P. Shah
Arc Design Group
Case No. 2005-026802

Probable Cause was found that Ramji Shah of Tampa, Florida, a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. The Complainant entered into a contract with Arc Design Group to perform architectural services on a commercial project on February 24, 2004. Mr. Shah is the architect in responsible supervisory control and qualifier for Arc Design Group but was living in Las Vegas at the time the contract was entered into. At some point, the project was transferred to R.C. Rowland & Associates, Inc. to provide architectural services which is evidenced by an invoice which was dated April 20, 2004. R.C. Rowland & Associates, Inc. is located at a different address than Arc Design Group and Mr. Shah is listed as the qualifier. Mr. Shah

claimed that he no longer qualified R.C Rowland & Associates, Inc. when he moved to Tampa in 2001 but never notified the board office. Plans were prepared for the project with the title block of Arc Design Group and bearing the seal of a professional engineer that is not employed by either Arc Design Group or R.C. Rowland & Associates, Inc. An Administrative Complaint seeking discipline was filed.

Tina Teresa Soo Hoo
Case No. 2005-056996

Probable Cause was found that Tina Teresa Soo Hoo of Miami, Florida, a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Ms. Soo Hoo when she renewed her license. Ms. Soo Hoo affirmed at renewal that she had completed the required hours; however, she provided evidence of having taken only 19 continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

Galyn J. Vogel
Case No. 2005-056864

Probable Cause was found that Galyn Vogel of Tampa, Florida, a licensed interior designer in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Mr. Vogel when he renewed his license. Mr. Vogel affirmed at renewal that he had completed the required hours; however, he provided evidence of having taken only 12 continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

Robert S. Weinstein
Case No. 2005-047963

Probable Cause was found that Robert Weinstein of Delray Beach, a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Mr. Weinstein when he renewed his license. Mr. McDonald affirmed at renewal that he had completed the required hours; however, he provided evidence of having taken only 18 continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

Michael Alexander Yaros
Case No. 2005-056910

Probable Cause was found that Michael Yaros of Tampa, Florida a licensed architect in the State of Florida, violated chapter 481, Florida Statutes. The case is based on an audit of the continuing education credits claimed by Mr.

Yaros when he renewed his license. Mr. Yaros affirmed at renewal that he had completed the required hours; however, he failed to provide evidence of having taken any continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.