

**BUILDING BOARD  
MEETING  
SEPTEMBER 24, 2019**

**MEMBERS PRESENT:** Jeffery Masters, Chairman  
John Bothwell, Charles Brox,  
Lawrence Gotfredson, Robert Haynes,  
Thomas "TJ" Thornberry

**MEMBERS ABSENT:** Lisa Kellythorne

**OTHERS PRESENT:** Suz Russell, License & Permit Supervisor  
David Jackson, Board Attorney  
Donna Ritz, Elijah Mousafi

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting
- 1. October 22, 2019

**CITIZEN COMMENTS ON AGENDA ITEMS ONLY**

- None.

**APPROVAL OF MINUTES**

- A. August 22, 2019
- Mr. Brox MOVED, Mr. Haynes SECONDED approval of the August 22, 2019 minutes.  
MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

- Recording Secretary Pues swore in all participants.
- A. Violation & Complaint - Foster Air Supplies & Technical Services, Inc. - Matthew Michael Foster, qualifier
- Ms. Suz Russell, License & Permit Supervisor, announced Foster Air Supplies & Technical Services, Inc. (FAST AC) completed work at two properties located on Deborah Drive without applying for a permit, noting one property owner had filed a complaint and the other was present this date. She stated staff had proof of delivery of the Notice of Violation and Notice of Hearing. She explained staff had spoken with Mr. Elijah Mousafi, qualifier's representative, regarding the violations and complaint; however, the issues had not been resolved.
- Mr. Masters questioned if FAST AC was licensed in the City.
- Ms. Russell replied Mr. Matthew Foster, qualifier, was licensed as FAST AC; however, he applied for a Certificate of Competency (COC) under the business name Healthier Home Solutions, LLC (HHS). She expressed hesitance to issue the COC given Mr. Foster's record

with the City. She concluded staff recommended the Board revoke FAST AC's permitting privileges until both quadrupled permit fees were paid and Mr. Foster appeared before the Board, requesting the COC for HHS be denied until Mr. Foster addressed these issues.

- Mr. Brox inquired how the homeowner in attendance had been affected.
- Ms. Donna Ritz indicated she was one of the property owners who had contracted with FAST AC. She stated the air conditioning unit FAST AC installed was working, noting FAST AC was prompt and had used an electrician.
- Ms. Russell noted the Building Division had no record or knowledge of an electrician's involvement with the work FAST AC completed.
- Mr. Masters inquired whether Ms. Ritz knew if an electrician had been required to perform wiring.
- Ms. Ritz replied in the negative.
- Mr. Masters questioned if the air conditioning unit had been inspected.
- Ms. Russell responded staff could not do so without a permit.
- Ms. Ritz reported a FAST AC representative had indicated the work would be inspected prior to City staff's inspection; however, the unit was never inspected.
- Mr. Masters noted FAST AC had used a third-party electrician.
- Ms. Ritz opined an electrician must have completed work as two surge protectors were installed on the panel in her garage.
- Mr. Masters questioned if Ms. Ritz was satisfied with the workmanship.
- Ms. Ritz replied in the affirmative, expressing concern FAST AC might not honor two free services and a warranty she had been provided.
- Mr. Masters inquired how Ms. Ritz learned about FAST AC.
- Ms. Ritz replied she had requested FAST AC provide her with an estimate after she observed them working at her neighbor's property.
- Mr. Masters spoke in favor of revoking FAST AC's permitting privileges until Mr. Foster appeared before the Board.
- Mr. Thornberry MOVED, Mr. Brox SECONDED to revoke Mr. Foster's permitting privileges and to prohibit Mr. Foster from registering as a new entity. MOTION CARRIED UNANIMOUSLY.

**NOTE: The following discussion was heard after Citizen's Comments.**

- Recording Secretary Pues swore in Mr. Elijah Mousafi.
- Mr. Mousafi stated HHS had acquired certain customers from FAST AC. He acknowledged they did not have a COC in Punta Gorda, noting a technician had completed work under "old paperwork". He explained his staff was asked to submit a permit application under FAST AC but had not been able to do so.

- Ms. Russell noted Mr. Mousafi was not the license holder for FAST AC.
- Mr. Masters confirmed the contractor had intended to apply for a permit following completion of the jobs, questioning if same was Mr. Mousafi's typical business practice.
- Mr. Mousafi replied in the negative, explaining he believed the contractor felt completing the job prior to pulling a permit was necessary. He stated the contractor had attempted to pull a permit as FAST AC, but the application was denied. He asserted the contractor was unable to access records to pull the permit.
- Ms. Russell pointed out the Building Division had no such record, noting the City did not offer online permitting.
- Mr. Mousafi clarified the contractor was unable to submit a permit application online. He reiterated he was told the contractor attempted to apply for a permit as he had in the past, but the permit was denied.
- Ms. Russell countered same was not true, explaining a permit application was immediately assigned a number, even if it was ultimately denied.
- Mr. Mousafi stated Mr. Foster indicated he intended to apply for a permit and complete the job as another entity. He then requested an opportunity to apply for the permits and correct the violations.
- Ms. Russell explained Ms. Ritz had contracted with FAST AC; therefore, FAST AC must apply for the permit.
- Mr. Thornberry confirmed the property owners had entered into contracts with FAST AC, questioning if the contract could be amended to identify HHS as the contractor.
- Ms. Russell responded the work was already completed.
- Mr. Thornberry questioned if Mr. Foster was able to pull permits as FAST AC.
- Mr. Mousafi replied in the negative.
- Mr. Thornberry questioned if Mr. Foster could pull the permit as an individual.
- Mr. Mousafi responded Mr. Foster held a separate license, suggesting he apply for the permits using same.
- Ms. Russell recommended Mr. Foster apply for both permits as FAST AC and pay the quadrupled fees. She spoke against approving the COC for HHS prior to Mr. Foster appearing before the Board.
- Mr. Masters inquired as to why Mr. Foster could not pull a permit under FAST AC.
- Mr. Mousafi expressed uncertainty regarding same.
- Ms. Russell stated the corporate transition involved two different licenses held by Mr. Foster, noting the license associated with HHS was CAC1819988 while the license associated with FAST AC was CAC1818724; therefore, the transition was not a name

change only. She clarified if Mr. Foster applied for the permits as FAST AC, the permits could be issued.

- Mr. Mousafi stated he would suggest Mr. Foster do so immediately.
- Mr. Thornberry noted the Board had moved to revoke Mr. Foster's permitting privileges.
- Mr. Thornberry MOVED, Mr. Brox SECONDED to rescind the previous motion. MOTION CARRIED UNANIMOUSLY
- Mr. Thornberry MOVED, Mr. Gotfredson SECONDED to place FAST AC on probation until Mr. Foster appeared before the Board, to allow Mr. Foster to apply for permits for the two subject properties on Deborah Drive and to prohibit Mr. Foster from applying for a permit utilizing any additional licenses until he appeared before the Board. MOTION CARRIED UNANIMOUSLY.

#### **COMMITTEE/BOARD COMMENTS**

- Mr. Masters verified Emery Air Conditioning had complied with the Board's Order following the August 27, 2019 meeting.
- Ms. Russell announced Boyette & Miller Construction & Development Inc. were hired to reconstruct the roof at 451 West Marion Avenue which Roof X, Inc. had begun.
- Mr. Thornberry inquired as to any updates regarding Casas del Sol.
- She replied the pool and cage final inspections for 591 Macedonia Drive were scheduled for this date. She reported Mr. Rhoad of 3400 St Croix Court had obtained an owner-builder permit to complete work at his property.
- Mr. Thornberry questioned whether the business owners of Casa del Sol had registered within the City under a different name.
- Ms. Russell replied there was an attempt to register under another name; however, she had posed a question to the City Attorney regarding denial of the application due to false statements made during previous meetings of the Board.

#### **CITIZENS' COMMENTS**

- None.

#### **ADJOURNMENT**

- Meeting Adjourned: 9:38 a.m.

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Jeffery Masters, Chairman

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Leah Pues, Recording Secretary