

FILED	
Department of Business and Professional Regulation AGENCY CLERK	
CLERK	Ronda L. Bryan
Date	7/8/2014
File #	2014-05063

STATE OF FLORIDA
CONSTRUCTION INDUSTRY LICENSING BOARD

IN RE:

THE PETITION FOR DECLARATORY STATEMENT OF
iGUI POOLS Usa LLC

DS 2014-041

FINAL ORDER

This matter came before the Construction Industry Licensing Board (Board) pursuant to section 120.565, Florida Statutes. At a duly-noticed public meeting held on May 16, 2014, in Lake Mary, Florida, the Board considered the Petition for Declaratory Statement filed by iGUI POOLS Usa LLC, who was not present.

The Petition was filed with the Department of Business and Professional Regulation on March 14, 2014. Notice of the Petition was published on March 25, 2014, in the Florida Administrative Weekly. No comments were received.

Having considered the Petition and relevant statutes and rules, the Board issues the following:

FINDINGS OF FACT

1. The facts considered by the Board are as alleged in the Petition, a copy of which is attached hereto and incorporated by reference, and presented at the meeting, with no further investigation by the Board.

2. Petitioner asks the Board whether a licensed General Contractor is authorized by Florida Statutes to build swimming pools and to qualify a Florida business under the same category license.

CONCLUSIONS OF LAW

3. The Construction Industry Licensing Board has authority to issue this Final Order pursuant to Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.

4. Petitioner is substantially affected, as required by section 120.565, Florida Statutes.

Therefore, the Board hereby issues a declaratory statement that a licensed General Contractor is not authorized by Florida Statutes to build swimming pools and to qualify a Florida business under the same category license.

The applicability of this Declaratory Statement is limited to the set of facts incorporated herein. This Final Order shall be effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 25th day of June,

2014.



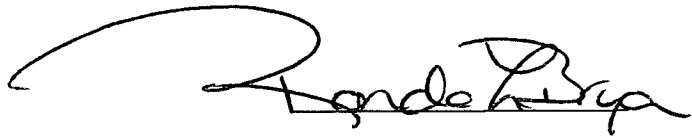
W. BRIAN CATHEY, Chair
Construction Industry Licensing Board

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been provided by U.S. Mail to: iGUi POOLS Usa LLC, 4510 NW 34th Drive, Gainesville, Florida 32605, and by hand/ interoffice delivery to Tom Barnhart, Special Counsel, Suite PL-01, The Capitol, Tallahassee, Florida 32399-1050; and the Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039, on or before 5:00 p.m., this 8th day of July, 2014.



FILED	
<small>Department of Business and Professional Regulation</small>	
<small>Deputy Agency Clerk</small>	
CLERK	Brandon Nichols
Date	3/14/2014
File #	

From: Miami EUA [mailto:miami@igui.ws]

Sent: Friday, March 14, 2014 3:31 PM

To: AGC Filing

Subject: Clarification of statutes

DS 2014-041

Dear Clerk Office Representative

iGUi Pools Usa LLC, in accordance to Section 120.565, Florida Statutes, and 28.105, Florida Administrative Code, which set forth the requirements for filing a petition for declaratory statement from the CILB, would like to request a declaratory statement from the board through this Petition for Declaratory Statement with the Department of Business and Professional Regulation's Agency Clerk's Office.

Our company plans to sell and install fiberglass swimming pools. It involves permitting, digging, leveling the fiberglass pool, plumbing, and electrical.

A General Contractor with the state of Florida would like to qualify our company under the same license (Form DBPR CILB 9) so we can sell installed pools and pull permits to construct and install the pools.

However, the statute 489.105, and 489.113 are not very clear in regards to a General Contractor being authorized to perform pool construction.

iGUi Pools Usa LLC politely request a declaratory statement clarifying if the licensed General Contractor is authorized by Florida Statutes to build swimming pools and to qualify Florida Business under the same category license.

Sincerely,

--

Mauren Piucco
iGUi Pools Usa LLC
Business Director
781.7279292

7006 0810 0005 9835 7328

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Sent 1	iGui Pools Usa LLC	
Street or PO	4510 NW 34 th Drive	-----
City, S	Gainesville, FL 32605	-----