



March 25, 2025

Mr. James R. Auffant
PO Box 1393
Orlando, FL 328802

Re: Building Codes Board of Adjustments and Appeals – Sunset Review

Dear Mr. Auffant:

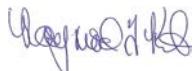
In accordance with and in response to your letter of March 03, 2025, as Chair of the Building Codes Board of Adjustments and Appeals, I respectfully submit this letter in support of extending the existence of our Board. Our Board is made up of dedicated volunteer citizens of Orange County that spend considerable time reviewing and making important decisions on the matters that are brought before the Board. For a more detailed understanding of the Board and its duties, I have attached a copy of a memorandum prepared by the Board's legal counsel to assist Board members with their service on the Board. In response to the specific questions set forth in your letter, I offer the following:

1. As set forth in County Code Section 9-4 (a) the Board's general mission and purposes are "securing such technical knowledge as necessary to enable the board of county commissioners to adopt reasonable rules and regulations applicable to the construction industry" and administering the construction industry technical codes in Orange County. The Board does currently serve the purposes for which it was created, including:
 - a. Serving as a quasi-judicial administrative board in reviewing complaints filed against state-certified and locally registered contractors by the County and/or citizens. Upon finding a violation of applicable codes, the Board has the authority to issue limited discipline in accordance with County codes and applicable state law.
 - b. Reviewing and acting on appeals of decisions of the Orange County Building Official regarding interpretation of the technical codes of Orange County.
 - c. Reviewing and making recommendations to the County regarding changes to the technical codes for Orange County.
 - d. Conducting hearings on citations for unlicensed contracting in violation of Chapter 9, Orange County Code.

2. The Board serves the current needs of the County, and the public, by providing an avenue for affected individuals and contractors to seek relief related to a violation or interpretation of a technical code.
3. The Board has heard several matters involving contracting which either motivated the resolution of a matter or resulted in the suspension of activities by the subject contractor. Additionally, the Board has reviewed and considered issues related to various interpretations of the technical codes enabling the parties involved to obtain a clear understanding of the issues involved and to take appropriate actions. Finally, the Board has provided recommendations to County staff regarding code-related issues, including timely updates to the Orange County Code.
4. With regard to state-certified contractors only, the administrative body that might better address some of the functions assigned to this Board is the State of Florida Construction Industry Review Board. The State Board by statute has greater authority and the opportunity to address discipline issues related to state-certified contractors.
5. The enabling resolution adequately addresses the purposes and function of the Board.
6. The current membership requirements are in accord with Florida Statutes regarding local building code enforcement boards.
7. The costs of the Board include: the expenses associated with the staff required to handle the proceedings; the assistance provided to complaining parties that come before the Board; and the cost of outside legal counsel to represent the Board.

Thank you for this opportunity to provide information on behalf of our Board. I am confident the MMRB's review of the information provided will result in a recommendation that the Board's existence should be extended. If you have any questions, or wish to discuss this matter further, please feel free to contact me.

Very truly yours,



Raymond Kilmer
Building Codes Board of Adjustments and Appeals

cc: Alan Plante, Manager, Division of Building Safety
Thomas Allen, Building Official
Desmond Morrell, County Attorney IV
Daniel F. Mantzaris, Attorney to the Board