



Nick Sasso, Board Member
Building Code Administrators and Inspectors Board

October 27, 2011

Honorable Governor Rick Scott
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

Dear Governor Scott:

My name is Nick Sasso and I am a member of the Building Code Administrators and Inspectors Board. I became unemployed for approximately 2 years beginning in April of 2009, due to no fault of my own. I, like so many other Floridians experienced a lay-off due to the downturn in the economy. Prior to my last job, I worked for an employer who participated in the Florida Retirement System (FRS). I believe that certain changes to FRS as of July 1, 2010 have had the unintended consequence of severely limiting my employment opportunities within the State; I'm hoping that you will take steps to address this for the benefit of all jobseekers. As you may be aware, anyone who has ever taken a distribution (regardless of size) is now barred from further participation in the FRS. I personally fall into this category having needed to take a distribution of less than \$9,000 in the year 2004. At that time such distributions were allowable and did not carry such dire consequences. Back then an FRS participant was permitted to re-enter the program as long as the vesting period started over again from day one.

The net effect of the new legislation is that many Florida public-sector employers are extremely reluctant to hire individuals such as myself, fearing that they will leave at the earliest opportunity for other employers who have retirement plans that are accessible. Another unintended, net effect of this change is that it forces many who fall into this category to look for work outside of Florida. I was eventually able to find steady work - but in another state. I now work outside of Florida, and at this time I must reluctantly cease participating on the Building Code Administrators and Inspectors Board.

In my 6 years as a participating board member, I would like to think that I've done everything possible to insure that Florida investors and homebuyers have thoroughly tested and well-qualified inspectors, plans examiners, and building code administrators. Unfortunately Florida law still allows "UN-tested" individuals to hold building department positions, snatching the available jobs from the inspectors, plans examiners, and building officials who are thoroughly vetted, and who have passed the required examinations. To the best of my knowledge and belief, building officials, plans examiners, and building inspectors are the only type professional licenses still offered by the Department of Business and Professional Regulation (D.B.P.R.) without the benefit of a competency test. These types of licenses are given a fancy name – they are called "*provisional*" licenses. The original intent of the UN-tested, provisional licenses was never that

they become part of the status quo. We both know that where building code administration and inspection personnel fail to adequately, competently, and professionally administer state or local building codes, physical and economic injury to the citizens of the state may result. The citizens of the state of Florida deserve a Building Code Administrators and Inspectors Board that places citizens' best interests first rather than the private interests of the cities, counties, or even of the licensees themselves. If I may be so bold as to state (and with all due respect) that we are in the twenty-first century. The building codes become more and more technical as each year progresses. No Florida citizen deserves an inspector, plans examiner, or building official that has not yet passed a competency test. Cheap labor is not a valid excuse! I feel it is my solemn duty to convey my sentiment, and thus my concern to you, Honorable Governor. For we can still work together cooperatively as citizen and Governor, and tactfully discuss laws with respect to this board that are in need of vast improvement, in my humble opinion. I beseech you Governor Scott, please take steps to abolish this provision in the law, which gives rise to these very dangerous, UN-tested, "professional" licenses, especially the highly dysfunctional, UN-tested, building code administrator license (one without the benefit of a competency exam, who is placed in charge of a building department). I remain at your service, should you or any of your staff members wish to confer on this critical matter in greater depth.

I would like to extend a special thanks to the Honorable Governor Jeb Bush for my initial appointment. I will never forget the opportunity that he bestowed upon me, the trust he placed in me, and his willingness to listen and communicate. Honestly, it has been a pleasure to serve under the executive branch. Working alongside D.B.P.R. has truly enlightened me, and I have learned a great deal. I also want to thank all of the citizens and licensees that I have met in my travels. Their continued support and kind words are what keeps me moving forward, and they have certainly been a point of inspiration for me.

I wish you the best and I hope that an economic recovery for the state of Florida will be forthcoming. I also hope that minor modifications to the Florida Retirement System can happen so as to permit Floridians like myself, who have taken relatively small distributions, to once again have access. Thank you for your time in reading this, and for your attention to these important matters.

Sincerely,



Nick Sasso

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