



RECEIVED

JUL 27 2018

Building Department

Date: 7/24/2018

From: Roderick Waller, CEO
Sunrise City Community Housing Development Corporation
130 S Indian River Drive
Fort Pierce, FL, 34950

Re: Complaint Response 1726 Okeechobee Rd, Fort Pierce FL 34950:

To whom it may concern:

On 7/14/17 Sunrise City CHDO Applied for a renovation permit to install an interior door and windows. This work was completed prior to me being contacted. After submitting the application, I was informed that the area being renovated was not part of the grocery store. Building department said we "need signed and sealed drawings showing the complete scope of work to include MEP's and information on Occupancy Use and Classification to determine if this work constitutes a change of use or occupancy. Per section 107.1 of the Florida Building Code". After getting this information we hired an engineer to work on the tasks. At no point was Sunrise City CHDO Inc. given any money. After several week the tenant calls me and said that it should not take engineer this long to do drawing. I informed her if she knew an engineer we could use that person. She said ok she would get another engineer and we never spoke again.

The engineers design assistant and I were at site several time. Please see attach drawing. Also, I spoke on several accessions with Mr. Mustafa about the project. Sunrise City CHDO Inc. is still willing to complete the project if tenant wishes for us to continue with our engineer.

Sincerely

Roderick J. Waller
Sunrise City CHDO



Sent via: CERTIFIED LETTER & 1st CLASS MAIL

July 30, 2018

Mr. Rod Waller
Certified General Contractor
PO Box 13492
Fort Pierce, FL 34979

c/o Sunrise City Community Housing Development
Organization, Inc. (CHDO)
5923 Forest City Road, Unit C
Orlando, FL 32810

Re: Notice of Hearing, Contractor Complaint – 1726 Okeechobee Road

Dear Mr. Waller:

This pertains to the complaint submitted to the City of Fort Pierce against you, as a contractor, in the above-referenced case and provides you with notice of the hearing that has been scheduled on such complaint. The item has been forwarded to the Board for hearing **9:00 a.m. August 14, 2018, in the City Commission Chambers on the first floor of City Hall.**

The Respondent may be represented by counsel at the hearing, may present relevant evidence, and will be given an opportunity to cross examine witnesses. A copy of the Rules of Procedure for Disciplinary Matters for the Fort Pierce Board of Examiners of Contractors may be obtained upon request from the Building Department.

If you have any further questions, please call my assistant at (772) 467-3188.

Sincerely,

Shaun Coss, CFM
Building Department Coordinator

SC/km
Enclosures

cc: Paul Thomas, CBO, CFM, Building Official
Linda Cox, City Clerk
Iola Mosley, Board Attorney
Contractor's License File
Complainant



THE SUNRISE CITY
FORT PIERCE
BUILDING DEPARTMENT
Florida

COPY

Sent via: CERTIFIED LETTER & 1st CLASS MAIL

July 12, 2018

Mr. Rod Waller
Certified General Contractor
PO Box 13492
Fort Pierce, FL 34979

c/o Sunrise City Community Housing Development
Organization, Inc. (CHDO)
5923 Forest City Road, Unit C
Orlando, FL 32810

Re: 1726 Okeechobee Road

Dear Mr. Waller:

This letter is to inform you that a complaint has been filed with the City of Fort Pierce against you, as the holder of a Contractor's Certificate of Competency, and/or as a contractor certified by the State of Florida. Attached is a copy of the complaint affidavit that has been filed with the Building Department.

You may submit to the Director of Building and Code Enforcement a written response to this complaint within 15 days of the date of this letter. The complaint and your response will be reviewed by the Building Official and Building Department Coordinator, and the complaint shall be referred to the Board for a hearing. You will be notified of the date, time, and place of the hearing.

If you have any further questions, please call my assistant at (772) 467-3188.

Sincerely,

Shanin Coss, CFM
Building Department Coordinator

SC/km
Attachment

cc: Paul Thomas, CBO, CFM, Building Official
Iola Mosley, Board Attorney
Linda Cox, City Clerk
Contractor's License File
Complainant



CONTRACTOR COMPLAINT AFFIDAVIT

****Please return completed and notarized form to Building Department****

Person or company complaint is against: Sunrise City CHDO
 Address of alleged offense: 1726 Okeechobee Rd Fort Pierce FL 34950

Made by: (Mr. /Mrs. /Ms.) Hanin Mustafa
 Address: 10327 SW West Park Ave
 City: Port St. Lucie FL 34987
 Home Phone: 772 812 0225 Work/Cell Phone: _____
 Email Address: Haninmustafa@gmail.com

BEFORE ME, the above signed authority, personally appeared to file a complaint against:

Name of Person and/or Company: Sunrise City CHDO
 Phone Number: 772-429-1771
 Address: 1513 N 23rd St
 City: Fort Pierce State: FL Zip: 34950
 Email: _____

In detail, clearly state your complaint below: (Please include any contracts, bills, cancelled checks, correspondences, etc.)

Sunrise City CHDO performed work on our building without a valid permit. The entire time work was being performed I was told the permit had been approved. I was charged for professional drawings by an engineer to be submitted with the application. Please review the drawings submitted with the application. Finally, at no time did the general contractor visit the site to inspect or review work performed by the company.

I have paid \$ 2250.00 to: Sunrise City CHDO

By check # 3968 Money Order _____ other _____

Continue to next page to fill out alleged charges.

The Checked boxes specify the charges being brought against the above named contractor under the Fort Pierce Code of Ordinance, Section 5-52:

- (1) Obtaining a certificate by fraud or misrepresentation.
- (2) Committing fraud or deceit in the practice of contracting.
- (3) Committing incompetency or misconduct in the practice of contracting.
- (4) Committing gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property.
- (5) Abandoning a construction project in which the contractor is engaged or under contract as a contractor. (A project may be presumed abandoned after ninety days if the contractor terminates the project without just cause or without proper notification to the owner, including the days.)
- (6) Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Financial mismanagement or misconduct occurs when:
 - (a) Valid liens have been recorded against the property of a contractor's customer for supplies or services ordered by the contractor for the customer's job; the contractor has received funds from the customer to pay for the supplies or services; and the contractor has not had the liens removed from the property, by payment or by bond, within seventy- five (75) days after the date of such liens;
 - (b) The contractor has abandoned a customer's job and the percentage of completion is less than the percentage of the total contract price paid to the contractor as of the time of abandonment, unless the contractor is entitled to retain such funds under the terms of the contract or refunds the excess funds within thirty (30) days after the date the job is abandoned.
 - (c) The contractor's job has been completed, and it is shown that the customer has had to pay more for the contracted job than the original contract price, as adjusted for subsequent change orders, unless such increase in cost was the result of circumstances caused by the customer, or was otherwise permitted by the terms of the contract between the contractor and the customer.
- (7) Substantial departure from, or disregard, of plans or specifications without consent the owner or his duly authorized representative;
- (8) Knowingly or deliberately disregarding or violating any applicable building codes or laws of the state, county or city;
- (9) Willfully and deliberately engaging in a type or class of contracting for which the contractor is not licensed or registered;
- (10) Being disciplined by any other municipality or county;
- (11) Failing to actively supervise construction projects for which the contractor has applied for and obtained a building permit; or for projects for which the contractor is, by contract; responsible;
- (12) Contracting with persons or firms not having a certificate or competency issued by the city for work or services to be performed within the city when said persons or firms are required by this chapter to possess such a certificate of competency in order to perform the contracted work or services;
- (13) Proceeding on any job without obtaining the applicable building department permits and inspections.
- (14) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting.
- (15) Knowingly combining or conspiring with an uncertified or unregistered person by allowing his certificate or registration to be used by the uncertified or unregistered person with intent to evade the provision of this code. When a certificate holder or registrant allows his certificate or registration to be used by one (1) or more business organizations without having any active participation in the operations, management, or control of such business organizations, such act constitutes prima facie evidence of an intent to evade the provisions of this Code.

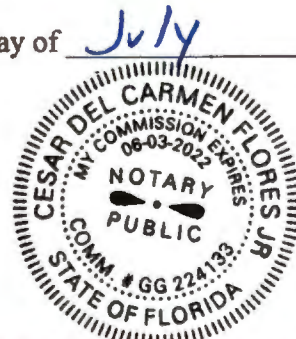
Type of action being requested of the Board (Note: If seeking a refund, this would be a civil matter.)

Take license away. Do not allow this person to continue their fraudulent actions.

[Signature]
Signature

SWORN TO AND SUBSCRIBED BEFORE ME this 11th day of July, 2018

Notary Signature: *[Signature]*



Business Advantage Chk - 6788: Account Activity Transaction Details

Check number: 00000003968

Post date: 05/10/2017

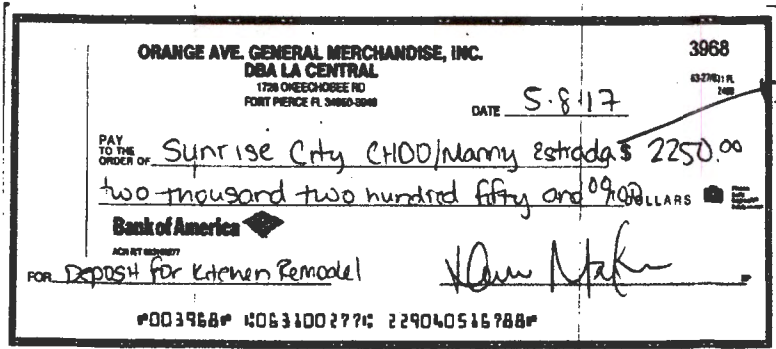
Amount: -2,250.00

Type: Check

Description: Check

Merchant name: Check

Transaction category: Cash, Checks & Misc: Checks



ORANGE AVE. GENERAL MERCHANDISE, INC.
DBA LA CENTRAL
1728 ONEECHOBEE RD
FORT PIERCE FL 34980-0000

3968
05-27-17
DATE 5-8-17

PAY TO THE ORDER OF Sunrise City CHOD/Manny Estrada \$ 2250.00
two thousand two hundred fifty and 00/100 DOLLARS

Bank of America
FOR DEPOSIT FOR KITCHEN REMODEL

ACH NY 6030077
Signature: Manny Estrada

⑆003968⑆ 4063100277⑆ 229040516788⑆

please note:
Manny Estrada is the representative from the company with whom I mostly communicated with. The text messages from the following page are interactions with me and him.

These text messages are between me and the representative of Sunrise City CHDO. Blue messages are my texts white are from the rep.



Jul 27, 2017, 6:13 PM

Hi we got a letter from the city that work is being done with no permit. I need you to call me

Jul 28, 2017, 11:08 AM

1726 Okeechobee Rd Suite E
Fort pierce fl 34950

Ok thank you

Mon, Aug 7, 9:04 AM

Hi, I would like to know what happens to the permit today.

Absolutely call you when I get to fort pierce I'm at the building department in vero soon i finish here I'll be going to fort pierce

Mon, Aug 14, 8:45 AM

Please make sure you go to the city today to figure out the permit. We have been waiting over two months

Mon, Aug 14, 10:18 AM



iMessage





Manny

Tue, Aug 22, 7:49 AM

Just letting you know the engineer is gonna stop by at the store today

Why today? I thought he did what he had to do?

I am going to stop by the city today to see what the progress is.

They just text me and told me about

Well how many times is he going to stop by for the same thing? I think this is the third time?

I don't understand why the engineer has had to go three times. Because on three occasions you have told me he was going

Tue, Aug 22, 11:28 AM

I need you to call me

I'm in the building department in



iMessage



on multiple occasions I was told the engineer was visiting the location

the premise of my complaint is

1. A general contractor should be aware of what paper drawings for a permit application are.

2. No work should be done onsite when the permit has

not been approved
Sunrise City sent people out to do the job while lying to me during multiple conversations and telling me the permit had been resolved



I need you to call me

I'm in the building department in vero I'll call you when I get done here

What time is your engineer coming today?

Mon, Aug 28, 12:45 PM

Check for permit inspector coming out today.

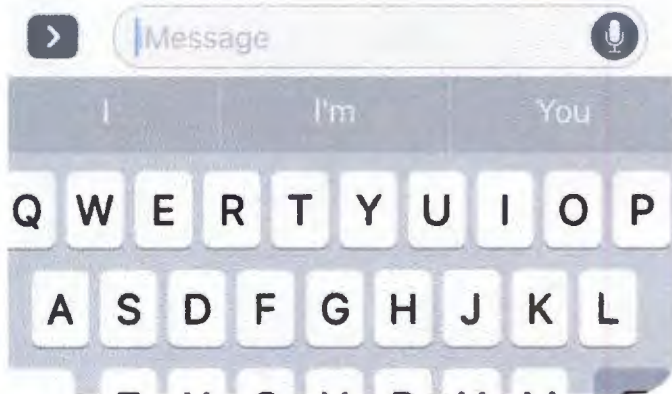
Today 12:27 PM

Hey bro do you hear anything about the store in fort pierce??

Engineer working on it

Thank you

Delivered



This screenshot is from text messages from Rod Waller (name shows in the actual text message)

After these text messages employees were sent to the location to perform changes to the location without the permit being approved.



**CITY OF FORT PIERCE, FLORIDA
BUILDING DEPARTMENT
APPLICATION FOR BUILDING PERMIT**
(772) 467-3529 or 467-3724 FAX (772) 467-3849

Per # 17-2010
FBC 2014(5th edition)
PIN # 221510

*Property Address 1726 OKEECHOBEE RD Suite E *Date 7/14/17 *# of plans submitted _____ *# of CD's submitted _____
Parcel ID# 2409-712-0002-000-1 Phone # (____) _____ - _____ Fax # (____) _____
(Located on your tax bill) Email Address _____ Cell # (____) _____
*Owner Name Nazir Mustafa *Owner Address 6980 NW Denargo St Port St Lucie, FL 34983

Type of perm Commercial *Valuation \$ 800.00
*Description of Work 1. Close off interior door way(wood). 2. Create door way and install interior wood door
NO ELE

Architect: _____ Phone(____) _____ - _____ Fax (____) _____
Email Address _____
Engineer: _____ Phone(____) _____ - _____ Fax (____) _____
Email Address _____

*CONTRACTOR/APPLICANT INFORMATION: City License # _____ State License # CGC1515114
Company Name Sunrise City CHDO Inc. Qualifier Roderick Waller
Address 3550 Okeechobee Rd City/State Fort Pierce FL Zip 34947
Phone # (772) 201-2850 Fax # (772-) 907-0420 Cell # (____) _____
Email Address rodwaller1@gmail.com

SUBCONTRACTORS: See Subcontractor Verification Sheet. It may be Required to accompany this application

Occupancy Com Construction Type _____ # of Units _____ # of Stories _____
Sq. Ft. Conditioned Space _____ Total Sq. Ft. _____

Is the property located in a Special Flood Hazard Area (floodplain) per the current Flood Insurance Rate Map (FIRM)

Yes No CF

If Yes, the applicant must include certified elevation information on a FEMA NFIP Elevation Certificate.

I understand that no building may be occupied until a Certificate of Occupancy/Certificate of Completion has been issued after final inspection by the Building Department and full compliance with the building code, city and state ordinances and other applicable rules and regulations. I am also verifying that all sets of plans submitted are identical.

Signature of Applicant Roderick Waller
State of Florida, County of St Lucie

Signature of Property Owner _____
State of Florida, County of _____

Affirmed to and subscribed before me this 14th
July, 2017, by Roderick Waller
personally known to me or who has produced
as identification.

Affirmed to and subscribed before me this _____
20____, by _____
personally known to me or who has produced
as identification.

Notary Signature: _____
Notary (print name) KIM KEAHEY
Notary Public - State of Florida
Commission # GC 024418
My Comm. Expires Dec 16, 2020
Bonded through National Notary Assn.

Notary Signature: _____
Notary (print name) _____

Construction documents must accompany this application. The Florida Building Code submitted becomes an integral part of this plan and must pass final inspection. "Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public record of this county, and there may be additional permits required from other governmental entities such as waste management district, state agencies, or federal agencies." SIGNATURE OF THE APPLICANT MUST BE NOTARIZED. If owner builder, applicant must sign in person. BUILDING PERMIT includes: Building, Electrical, Plumbing, Mechanical, and Sewer only. All other trades require separate permits.

***Required Information**

Asbestos compliance: It is the owner's or operator's responsibility to comply with section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

OFFICE USE ONLY

FEES: * See the break Down Fee Sheet

Total Fees Due \$ _____

PF 100.00 SW 100 PL 75.00 CC
SC 5.25
DF 100

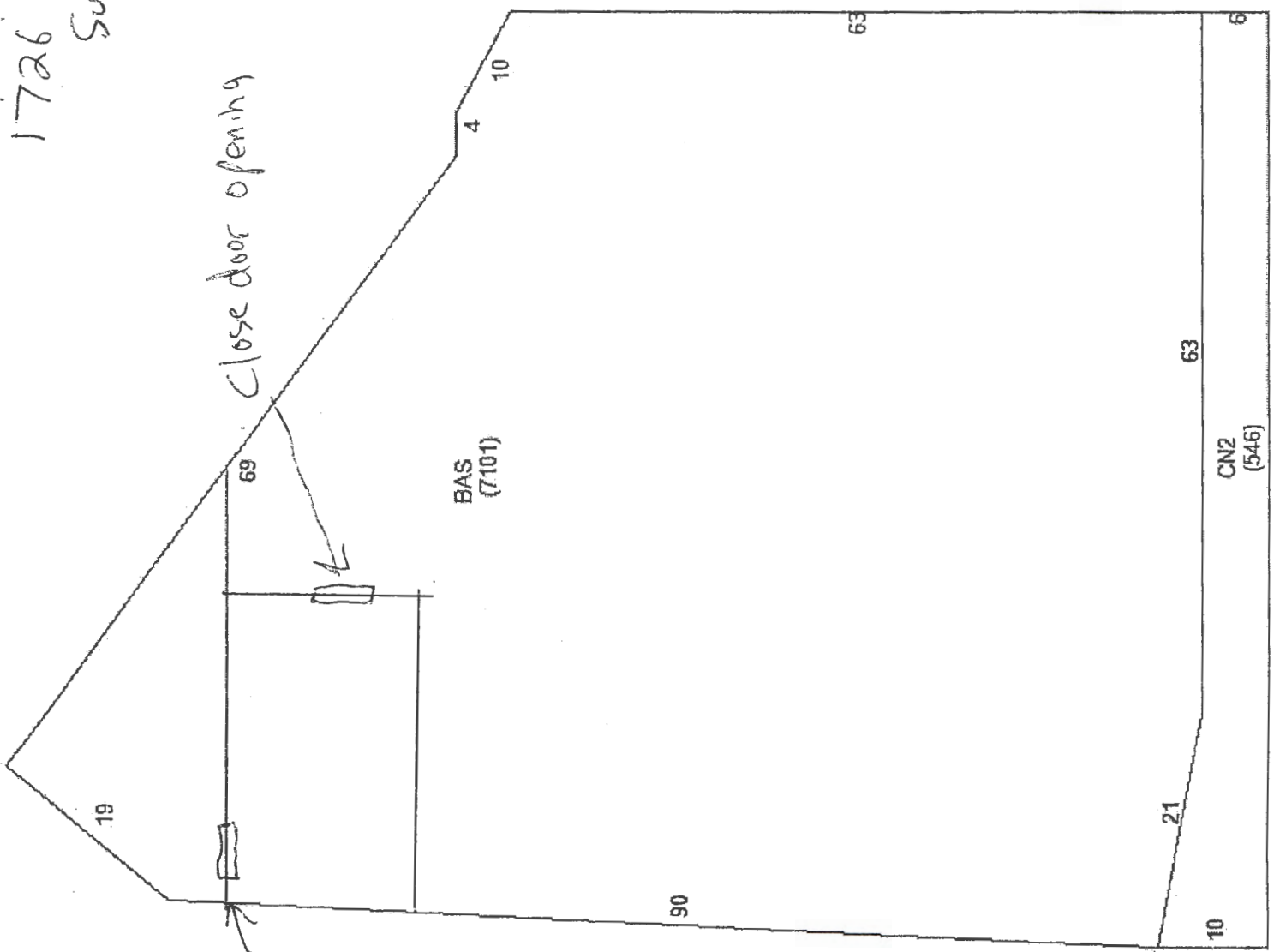
Remarks _____
Reviewed by JTB Date 7-16-17 Building Official _____ Date _____

RECEIVED
JUL 14 2017
Building Department

1726 Okeechobee RD
Suite E

"REVIEWED FOR CODE COMPLIANCE"

A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code inadvertently overlooked during plan review as outlined in Chapter 1 Section 105.4 of the Florida Building Code. All proposed work is subject to any corrections required by field inspectors that may be necessary in order to comply with all applicable codes.



New Door opening →

These plans and all proposed work are subject to any corrections required by field inspectors that may be necessary in order to comply with all applicable codes

CITY OF FORT PIERCE

Reviewed: JTB

Date: 7-18-17



Department of Building & Community Response
 P.O. Box 1480 • 100 North U.S. 1 • Fort Pierce, FL 34954
 Phone: (772) 467-3529 or (772) 467-3724 • Fax: (772) 467-3849

**“DEBRIS FORM”
 OWNER / BUILDER OR CONTRACTOR AFFIDAVIT**

As per City Ordinances 16-22, 16-46, 16-48 and As a condition of obtaining any permit for construction/repair or renovation:

Owner: Nazir Mustafa
 Property Address: 1726 Okeechobee Rd Suite E
 Permit # _____ Contractor: Sunrise City CHDO

I understand and accept full responsibility for the prompt removal of all debris and construction materials from the property for which I am seeking to obtain a building permit in accordance with the Code of Ordinances of the City.

Initials RN

I agree that no debris or construction materials will be placed on any public property or on any public right-of-way except as may be specifically authorized by the Code of Ordinances.

Initials RN

I further understand that prior to a final inspection for the project completion or issuance of a Certificate of Occupancy (or Certificate of Completion), all debris and construction materials shall be removed from the property or the Inspector will not approve the final inspection. Additional reinspection fees shall apply.

Initials RN

I understand and accept full responsibility for debris removal at my own expense in accordance with the City Code of Ordinances.

Initials RN

I hereby acknowledge that I have read and understand the above statements and I further understand that any violation of the terms of this affidavit shall be reported to the City of Fort Pierce Department of Building and Community Response for action and possible “stop-work” order under the issued permit.

7/14/17 _____
 Date Contractor or Owner/Builder's Signature
Rodger Waller

It is the owner and contractor's responsibility to verify approval for any work through the Home Owner's Association and/or Condominium Association, if applicable. The City will not be held responsible for disputes between Home Owner's Association, Condominium Association, owner and/or contractor.

7/14/17 _____
 Date Contractor or Owner/Builder's Signature
Rodger Waller

