

October 26, 2021

Senator Ray Wesley Rodrigues
2000 Main Street, Suite 401
Fort Myers, FL 33903

Dear Senator Rodrigues:

I am writing to you today regarding several important issues that the legislature needs to address regarding fire safety in Florida.

I am in the fire protection business and live in your district. Every day our job is to install, inspect and repair fire sprinklers and other fire safety devices in commercial and residential buildings throughout your district. I am a member of the Florida Fire Sprinkler Association, which is the statewide trade association that advocates for laws that assure fire protection systems and laws to protect our population and property from injury and death from fire. I am asking you to support the following initiatives:

1. **Unlicensed Fire Protection Contractors.** Chapter 633, Florida Statutes, requires individuals that design, install, and service various fire suppression and protection systems to obtain one or more licenses or permits depending upon the specific work they perform and the systems they install or inspect. These individuals are also required to take rigorous training courses to gain and maintain the technical proficiency to complete this work. I am concerned that many unlicensed individuals work in the construction industry today. We are seeking legislation to create criminal penalties for unlicensed fire protection contractors. In short, working on a fire sprinkler or other fire protection system without a license would trigger the following penalties depending on the amount spent for the work performed under this proposal:
 - a. Less than \$1000 in work: first degree misdemeanor.
 - b. Between \$1000 and \$20,000: third degree felony.
 - c. Between \$20,000 and \$200,000: second degree felony.
 - d. Over \$200,000: first degree felony.

This legislation is important because human lives are at stake. We anticipate this language being included in the Department of Financial Services agency legislation being advanced by CFO Jimmy Patronis and may be amended into HB 107 by Representative Harding and SB 230 by Senator Baxley.

2. **Construction Defects.** Today in Florida, lawsuits are filed regarding faulty work by contractors and subcontractors. In many instances, the alleged defect involves only a

few hundred dollars of work to repair. For example, a sprinkler head is painted over or located in the wrong position. The first notice that a problem exists comes in the form of a lawsuit, and even if the matter is settled, the building owner receives a few hundred dollars and plaintiffs' lawyers receive tens of thousands of dollars in attorney fees. In addition, contractors must pay significant sums to hire a lawyer to defend themselves against these actions. Senator Keith Perry and Representative Andrade filed SB 270 and HB 21 during the 2021 legislative session to require that contractors be given notice of the alleged defect, and an opportunity to repair the problem at no cost to the building owner. Only after this process may a lawsuit be filed and only if the remedy offered by the contractor is unsatisfactory to the claimant.

- 3. Residential High Rise Fire Safety Retrofit.** New condominiums above 75 feet must be built with sprinkler systems installed. The current law requires all existing residential condominiums above 75 feet to be retrofitted with either a fire sprinkler system, or an engineered life safety system, before January 1, 2024. A condo association may vote to not retrofit with a fire sprinkler system but may not vote to forego compliance with an engineered life safety system. We believe that the legislature, in responding to overall building engineering safety issues in response to the tragedy at Surfside, should assure that fire safety be a part of the solution in addition to assuring overall structural integrity and safety of our older condominium buildings.

Thank you for considering these issues. I appreciate your public service and look forward to speaking with you about these issues in more detail in the near future. In the meantime, if you have any questions, feel free to reach out to the lobbyist and counsel for the Florida Fire Sprinkler Association, Tim Meenan or Dan Olson. Thank you!

Sincerely

Lloyd Adams
North Fort Myers Fire