**Department of Business and Professional Regulation** 

# Division of Hotels & Restaurants Annual Report 2016-17

Rick Scott Governor Jonathan Zachem Secretary 2601 Blair Stone Road Tallahassee, Florida 32399



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Years of Food Safety Division of Hotels & Restaurants



Jonathan Zachem, Secretary

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Rick Scott, Governor

Greetings:

The last year was an exciting time at the Department of Business and Professional Regulation. As Secretary, I have had the privilege of working with dedicated team members that strive to improve the lives of Florida's consumers and licensees. It is a goal to help make Florida the best place in the world to do business. I believe that we made significant strides to honor our obligation to license efficiently and regulate fairly.

Regulations that safeguard Floridians while helping businesses grow make sense. By efficiently communicating with our licensees and consumers we can effectively respond to your needs. We rely on each of you to let us know what's working, what's not, and what we can do to improve.

We strive daily to streamline processes, eliminate unnecessary regulations, and provide world class customer service. Your feedback ensures that we continue to make that happen. As you enjoy your next visit to a Florida hotel or restaurant, remember that DBPR is also here to serve you.

Sincerely,

Jonathan Zachem



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## **DIVISION OF HOTELS AND RESTAURANTS**

The Division of Hotels and Restaurants (division) is responsible for licensing, inspecting and regulating public lodging and food service establishments in Florida.<sup>1</sup> The mission of the division is to protect the health and safety of the public by providing the industry with quality inspections and fair regulation. The division is also responsible for licensing and regulating elevators, escalators and other vertical conveyance devices.<sup>2</sup>

The division is organized into four main units:

- Director's Office
- Bureau of Sanitation and Safety Inspections
- Bureau of Field Services
- Bureau of Elevator Safety

During the past Fiscal Year, the division was authorized 308 positions to provide program services and an operating budget of \$23,979,992. During this period, the division:

- Conducted a total of 111,449 public food service and lodging establishment inspections to ensure sanitation and safety standards (see tables on pages 12-13);
- Performed more than 86% of the statutorily required inspections for public food service, 77.8% for transient lodging establishments and 70.9% for apartments;
- Cited a total of 768,005 violations of sanitary standards in public food service and lodging establishments (see tables on pages 15-20); and
- Identified 167,259 violations corrected on site and 32,225 violations where corrective action was taken during inspections demonstrating achievement of active managerial control of food safety findings.

### **OFFICE OF THE DIRECTOR**

### **Rick Akin, Director**

The Office of the Director oversees all operations and activities of the division. The Director manages the preparation of the division's annual legislative budget requests; ensures that appropriated funds are properly disbursed; and is responsible for implementing legislative changes to Chapters 399 and 509, Florida Statutes, as well as promulgating rules and regulations related to the division's programs. The Director works closely with the department's legal staff regarding matters of enforcement and compliance, as well as emergency closures for establishments posing an immediate health or safety threat to the public.

<sup>&</sup>lt;sup>1</sup> Pursuant to Chapter 509, Florida Statutes.

<sup>&</sup>lt;sup>2</sup> Pursuant to Chapter 399, Florida Statutes.



### **BUREAU OF SANITATION AND SAFETY INSPECTIONS**

### Cathy Tucker, Bureau Chief

During Fiscal Year 2016-17, the Bureau of Sanitation and Safety Inspections (BSSI) accomplished 155,473 inspections of the 94,904 licensed food service and lodging establishments in Florida to ensure the health and safety of our residents and visitors. The bureau has seven district offices that are located in Miami, Margate, Fort Myers, Orlando, Tampa, Jacksonville and Panama City Beach. Each of the seven district offices is responsible for coordinating daily activities and scheduling inspections. Administrative enforcement cases are initiated by district offices to ensure compliance with the law. The division is authorized to assess fines up to \$1,000 per violation and to suspend or revoke an operator's license. In addition to routine safety and sanitation inspections, the bureau performs:

- Opening inspections for new establishments and changes of ownership;
- "Call-back" inspections on establishments cited for high priority violations within a specified time period to verify correction of deficiencies;
- Complaint investigations;
- Foodborne illness investigations in coordination with the Florida Department of Health; and
- Disaster inspections of public food service and public lodging establishments whenever necessary to respond to an emergency event or incident.

To help fight the Zika public health threat, BSSI provided educational outreach on virus prevention to 7,098 licensed food and transient lodging accounts in Miami-Dade county in August 2016. Additionally, the bureau conducted disaster response inspections in the aftermath of Hurricane Hermine in September 2016 and Hurricane Matthew in October 2016.

**Office of Program Quality (OPQ)** ensures that all inspectors are properly trained by our staff of qualified trainers. This office conducts new employee training programs that provide step-by-step levels of instruction and participation geared toward producing well-rounded, consistent and knowledgeable inspectors.

OPQ coordinates and provides technical training for division inspection staff as required by Section 509.036, Florida Statutes. This includes ensuring all new inspectors are field tested by US Food and Drug Administration (FDA)-certified inspection/training officers on risk-based and Hazard Analysis and Critical Control Point inspections. Each inspector receives a minimum of 20 continuing education hours per year in food safety and sanitation. In Fiscal Year 2016-17, OPQ facilitated 7,709 continuing education hours statewide.

OPQ staff is responsible for monitoring federal and state food code changes that affect the division and for making recommendations to management regarding rules and policies influenced by those changes. The technical coordinators also assist in the application of laws and rules, help resolve implementation issues for field staff and industry, and provide leadership in public workshops or hearings to resolve outstanding sanitation and safety issues. The coordinators address technical questions from the public regarding laws, rules and procedures, and field complaints prior to investigation by the district offices.



**Office of Plan Review (OPR)** oversees plan review for new or altered food service establishments, acting on variance requests and ensuring statewide consistency. The centralized OPR completes all reviews in Tallahassee Headquarters. OPR reviewed 6,589 plans for a total of \$857,700 collected in revenue. The elimination of the plan review fee in May 2017 has saved applicants \$130,350, with an annual projection up to \$1,000,000.

OPR has implemented various process improvements, cost reduction and avoidance strategies, including electronic plan review submission, thereby reducing postage and printing costs. Centralization also resolved numerous workload inequities and substantially improved customer service. Eligible restaurant license applicants are able to electronically submit their plans for immediate feedback and approval. Plan review centralization has resulted in a more efficient use of resources, greater consistency and responsiveness, and a time cost savings to applicants.

### **BUREAU OF FIELD SERVICES**

### Christopher Carson, Bureau Chief

The Bureau of Field Services provides support to the rest of the division in order to ensure achievement of core mission. This includes operating the division's Licensure and Compliance sections, business analysis and technical coordination. Field Services manages the division's mobile inspection program, develops web content, creates and maintains most of the division's forms and publications and provides public reporting data.

### **Licensure Section**

The Licensure Section processes licenses for public lodging, food service establishments, and elevators. Staff enters new licenses and changes of ownership, reconciles license fees, resolves licensing problems and provides license information to the public and the division's field staff. They also coordinate the division's annual license renewals for 94,904 public food and lodging establishments and 52,969 active elevators, escalators and other vertical conveyances.

### **Compliance Section**

The Compliance Section manages the administrative enforcement activity of the division. This office also coordinates indexing of enforcement cases and works with department legal staff to process emergency orders and formal hearings with the Division of Administrative Hearings within the Department of Management Services. The office has continued to emphasize compliance in keeping with the division's mission. This includes an informal, less adversarial, settlement process that concludes cases in a shorter time and reduces the need for litigation.



### **BUREAU OF ELEVATOR SAFETY**

### Michelle Comingore, Bureau Chief

The Bureau of Elevator Safety enforces Florida's elevator laws to ensure the safety of persons using vertical transportation (elevators, escalators, dumbwaiters, moving walks, inclined stairway chair lifts and inclined or vertical wheelchair lifts). The program enforces the national standards of the American Society of Mechanical-Engineers' (ASME) Safety Code for Elevators and Escalators (A17.1, A17.3 and A18.1), the state standard Florida Elevator Safety Code, Chapter 399, Florida Statutes, and Chapter 30, Florida Building Code-Buildings. Other accompanying standards include the National Electrical Code, State Fire Marshal's Uniform Fire Safety Standards, NFPA Life Safety Code, Americans with Disability Act and Florida Accessibility Code, and Chapter 61C-5, Florida Administrative Code.

The bureau issues Certificates of Operation for elevators and other vertical conveyances; issues construction and alteration permits; verifies service maintenance contract agreements; licenses registered elevator companies; and issues professional credentials for Certified Elevator Technicians, Certified Elevator Inspectors, and Certificates of Competency. It also registers providers to deliver approved continuing education course content. The bureau is responsible for recording annual safety inspections of elevators, and coordinates annual renewals of Certificates of Operation and licensed credentials for professions with the division's Licensure Section. The bureau also manages local program contracts, authorized by statute, with the cities of Miami and Miami Beach, Miami-Dade County, Broward County and Reedy Creek Improvement District to ensure that the programs adhere to state standards.

To assure rider safety, bureau inspectors monitor the quality of private elevator inspections and local contracted programs. In addition to performing inspections, the bureau's ten certified elevator inspectors respond to complaints, educate owners about their responsibility to have annual safety inspections and work to eliminate code violations in their respective regions. During Fiscal Year 2016-17, these inspectors conducted 1,869 monitoring inspections.

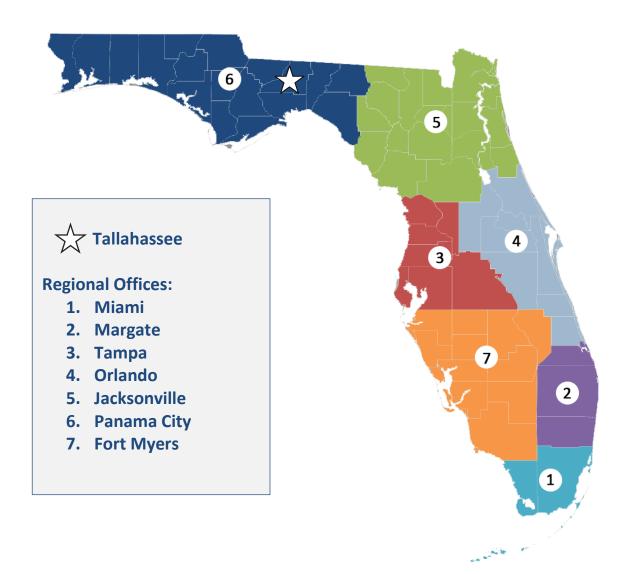
Florida's elevator safety program achieved 96.72 percent compliance for Certificate of Operation licenses. This high level of compliance was achieved through the efforts of field and office staff by a combination of site visits, written notices and, in rare instances, administrative fines. Securing compliance of over 96 percent of all vertical and horizontal transportation devices in Florida benefits and positively impacts not only citizens but also visitors of Florida. The use of unsafe and defective lifting devices imposes a substantial possibility of serious injury and exposes elevator personnel as well as the public to unsafe and hazardous conditions. Ensuring the safety of life and limb, and protecting the health and welfare of the riding public and elevator personnel is the core mission of the Bureau of Elevator Safety.

The bureau's oversight role for 53,000 conveyances and five contracted jurisdictions continues to increase due to ongoing growth in new elevator construction and registration of new elevator workers and companies within the state.



## Division of Hotels & Restaurants Annual Report: 2016-17

### **REGULATORY DISTRICTS AND OFFICES**



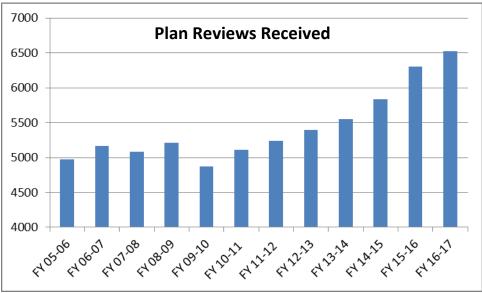
### Table 1: Number of Plan Reviews by Type—FY 2016-17

District	New	Change Owner	Remodel	Total
1	733	79	197	1,009
2	734	115	171	1,020
3	842	129	203	1,174
4	958	126	334	1,418
5	558	95	182	835
6	355	68	97	520
7	425	79	109	613
Total	4,605	691	1,293	6,589

### Table 2: Number of Variances Processed—FY 2016-17

District	Routine	Emergency	Total
1	8	15	23
2	2	5	7
3	7	8	15
4	9	19	28
5	9	2	11
6	1	4	5
7	1	4	5
Total	37	57	94

### Figure 1: Historical Comparison of Plan Reviews Received



Source: Plan Review Database 2005-2017

### Table 3: Public Lodging and Food Service Establishment License Accounts—End of FY 2016-17

			DI	STRICT				
ESTABLISHMENT TYPE	1	2	3	4	5	6	7	TOTAL
PUBLIC LODGING ESTABLISHMENT	-s							
Hotels	462	267	261	390	212	151	173	1,916
Motels	261	333	489	533	337	317	330	2,600
Nontransient Apartments	5,467	3,898	2,832	2,312	1,512	1,092	895	18,008
Transient Apartments	211	232	172	86	35	17	142	895
Bed and Breakfasts	57	25	30	43	65	27	12	259
Vacation Rentals - Condos								
Single	885	130	283	1,146	157	290	169	3,060
Group	118	76	79	240	38	165	204	920
Collective	126	28	101	149	74	392	187	1,057
Vacation Rentals - Dwellings								
Single	690	569	3,032	5,818	160	544	578	11,391
Group	33	33	27	52	8	21	29	203
Collective	131	153	235	383	80	307	313	1,602
Vacation Rentals – Timeshare Projects								
Single	0	1	1	1	0	0	0	3
Group	1	0	0	11	0	1	0	13
Collective	0	0	0	0	3	1	0	4
SUBTOTAL	8,442	5,745	7,542	11,164	2,681	3,325	3,032	41,931
PUBLIC FOOD SERVICE ESTABLISHI	MENTS							
Seating	5,914	7,094	6,999	8,349	4,755	3,328	4,871	41,310
Permanent Nonseating	1,021	983	899	1,220	576	315	529	5,543
Theme Park Food Carts	0	1	5	20	6	0	0	32
Catering	207	253	194	230	106	64	88	1,142
Hot Dog Carts	117	62	104	127	76	38	39	563
Mobile Food Dispensing Vehicles	645	386	705	756	438	346	308	3,584
Vending Machines	13	48	170	327	161	20	60	799
SUBTOTAL	7,917	8,827	9,076	11,029	6,118	4,111	5,895	52,973
GRAND TOTAL	16,359	14,572	16,618	22,193	8,799	7,436	8,927	94,904

SOURCE: DBPR Versa: Regulation Single Licensing System 07/01/2017

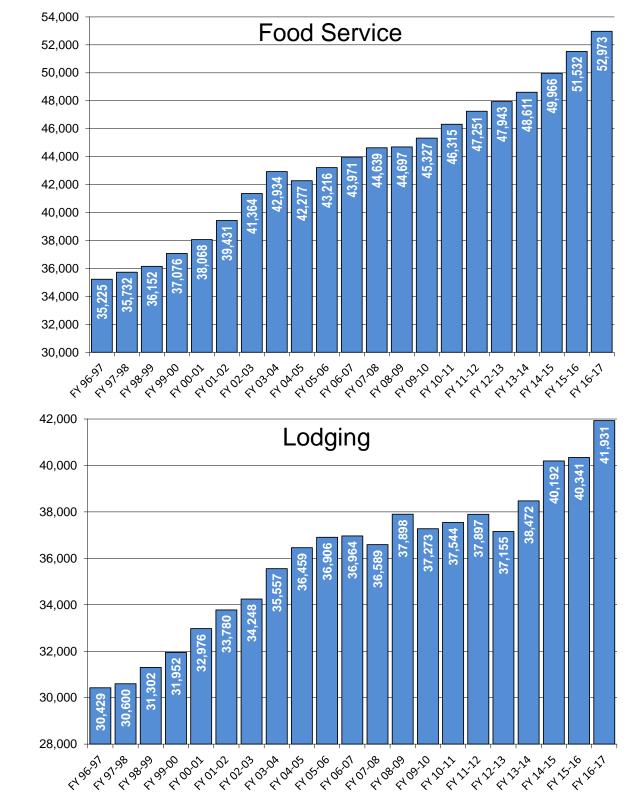


Figure 2: Historical Comparison of Total Number of Public Food Service and Lodging Accounts

Lodging Note: Beginning in 2008, the division started annually administratively closing vacation rental accounts that were expired over one year.



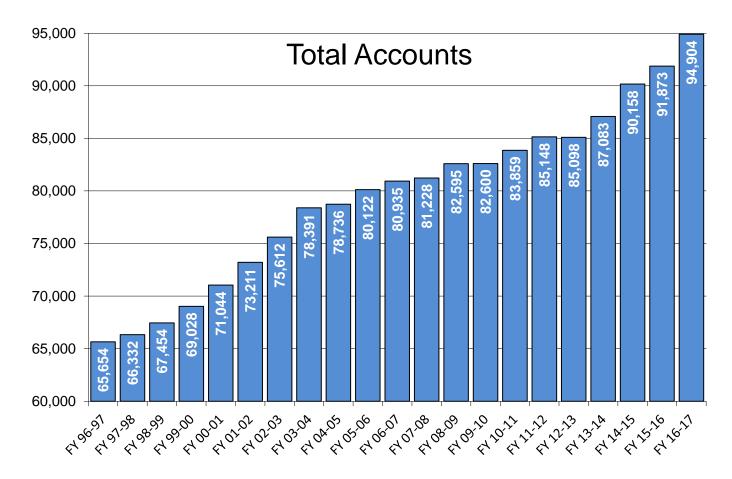


Table 4: Temporary Food Service Event Licenses Issued — FY 2016-17

	DISTRICT									
LICENSE TYPE	1	2	3	4	5	6	7	TOTAL		
1-3 day license	329	170	129	299	78	52	65	1,122		
4-30 day license	394	231	522	464	297	136	376	2,420		
Annual license	110	139	47	108	19	9	42	474		
Already Licensed – Annual	94	127	143	74	81	27	45	591		
Already Licensed – Permanent	183	247	243	125	148	67	27	1,040		
Already Licensed - DACS	46	3	78	5	8	12	5	157		
Total	1,156	917	1,162	1,075	631	303	560	5,804		

SOURCE: DBPR Versa:Regulation Single Licensing System 08.10.2017

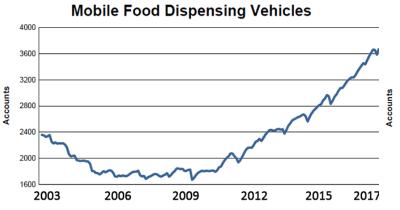
NOTE: Vendors with a DBPR or Department of Agriculture and Consumer Services (DACS) food service license may operate under their existing license when they have a satisfactory on-site inspection.

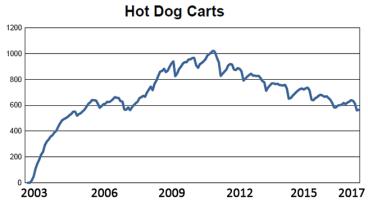
### Table 5: Public Lodging Units by Type of Establishment and by District—End of FY 2016-17

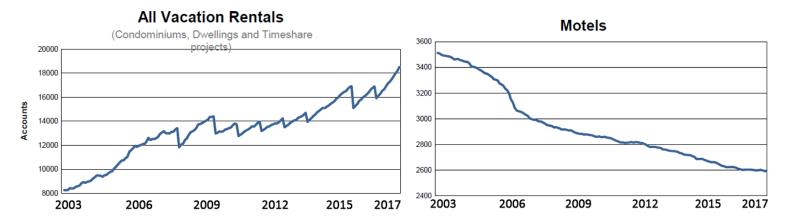
ESTABLISHMENT TYPE	1	2	3	4	5	6	7	TOTAL
Hotels	53,465	40,051	32,869	97,854	24,042	15,305	19,865	283,451
Motels	12,180	11,541	22,995	49,937	16,235	17,737	12,041	142,666
Nontransient Apartments	165,757	184,933	224,214	249,277	140,772	69,997	67,021	1,101,971
Transient Apartments	3,498	3,813	3,162	1,753	665	1,101	1,671	15,663
Bed and Breakfasts	512	160	156	231	478	157	77	1,771
Vacation Rental-Condos	7,985	5,775	6,321	36,847	4,156	20,151	12,382	93,617
Vacation Rental-Dwellings	3,087	1,439	7,145	12,547	977	6,335	5,925	37,455
Vacation Rental-Timeshare Projects	30	92	22	4,241	53	131	0	4,569
TOTAL	246,514	247,804	296,884	452,687	187,378	130,914	118,982	1,681,163

SOURCE: DBPR Versa: Regulation Single Licensing System 07.01.2017

### **Figure 3: Historical Licensing Trends**







Charts for all license types are available on our website: <u>http://www.myfloridalicense.com/dbpr/hr/reports/statistics/hr-statistics.html</u>

# Inspections

Table 6: Public Lodging and Food Service Establishment Initial Inspections Performed—FY 2016-17

Pu	Public Food Service - Initial Inspections by District											
INSPECTION TYPE	1	2	3	4	5	6	7	TOTALS				
01. Licensing	1,142	1,267	1,270	1,610	935	563	722	7,509				
02. Routine	11,460	11,648	12,216	15,971	7,502	4,492	9,059	72,348				
03. Complaint Full	746	1,378	1,577	1,607	1,054	696	785	7,843				
04. Complaint Partial	3	1	1	34	4	11	0	54				
05. Other	0	2	1	1	0	0	0	4				
Subtotal: Food	13,351	14,296	15,065	19,223	9,495	5,762	10,566	87,758				

	Public Lodging - Initial Inspections by District											
INSPECTION TYPE	1	2	3	4	5	6	7	TOTALS				
01. Licensing	387	315	315	272	169	100	123	1,681				
02. Routine	5,275	3,129	2,839	3,704	1,754	1,073	1,971	19,745				
03. Complaint Full	203	240	425	669	284	291	135	2,247				
04. Complaint Partial	0	1	0	16	0	0	0	17				
05. Other	0	0	1	0	0	0	0	1				
Subtotal: Lodging	5,865	3,685	3,580	4,661	2,207	1,464	2,229	23,691				

	Total - Initial Inspections by District											
INSPECTION TYPE	1	2	3	4	5	6	7	TOTALS				
01. Licensing	1,529	1,582	1,585	1,882	1,104	663	845	9,190				
02. Routine	16,735	14,777	15,055	19,675	9,256	5,565	11,030	92,093				
03. Complaint Full	949	1,618	2,002	2,276	1,338	987	920	10,090				
04. Complaint Partial	3	2	1	50	4	11	0	71				
05. Other	0	2	2	1	0	0	0	5				
Subtotal	19,216	17,981	18,645	23,884	11,702	7,226	12,795	111,449				

SOURCE: DBPR Versa:Regulation Single Licensing System 07.01.2017 & 07.03.2017

NOTE: Licensing, routine and complaint-full inspections are counted toward statutory requirement. Epidemiological inspections are usually recorded as routine inspections. "Other" inspections include discontinued categories, information calls, training and quality assurance inspections. For an accounting of temporary events, see Table 4.

# Inspections

### Table 7: Food and Lodging Callback Inspections Performed—FY 2016-17

Public	Public Food Service - Callback Inspections by District										
INSPECTION TYPE	1	2	3	4	5	6	7	TOTALS			
01. Licensing	93	228	229	84	136	58	69	897			
02. Routine	5,214	5,041	5,952	7,541	3,623	2,492	3,813	33,676			
03. Complaint Full	486	772	1,149	1,126	832	551	530	5,446			
04. Complaint Partial	0	0	0	15	2	5	0	22			
05. Other	0	7	0	0	0	0	0	7			
Subtotal: Food	5,793	6,048	7,330	8,766	4,593	3,106	4,412	40,048			

Publ	Public Lodging - Callback Inspections by District										
INSPECTION TYPE	1	2	3	4	5	6	7	TOTALS			
01. Licensing	8	33	25	11	10	13	9	109			
02. Routine	587	416	324	486	334	240	335	2,722			
03. Complaint Full	77	122	185	460	156	244	73	1,317			
04. Complaint Partial	0	2	0	6	0	0	0	8			
05. Other	0	0	0	0	0	0	0	0			
Subtotal: Lodging	672	573	534	963	500	497	417	4,156			

	Total - Callback Inspections by District										
INSPECTION TYPE	1	2	3	4	5	6	7	TOTALS			
01. Licensing	101	261	254	95	146	71	78	1,006			
02. Routine	5,801	5,457	6,276	8,027	3,957	2,732	4,148	36,398			
03. Complaint Full	563	894	1334	1586	988	795	603	6,763			
04. Complaint Partial	0	2	0	21	2	5	0	30			
05. Other	0	7	0	0	0	0	0	7			
Subtotal	6,465	6,621	7,864	9,729	5,093	3,603	4,829	44,204			

SOURCE: DBPR Versa:Regulation Single Licensing System 07.01.2017 & 07.03.2017

NOTE: Licensing, routine and complaint-full inspections are counted toward statutory requirement. Epidemiological inspections are usually recorded as routine inspections. "Other" inspections include discontinued categories, information calls, training and quality assurance inspections. For an accounting of temporary events, see Table 4.

# Inspections

### Table 8: Food and Lodging Inspection Frequency and Performance—FY 2016-17

MEASURE	FOOD SERVICE	LODGING*	APARTMENTS	TOTAL
Active Licenses Requiring Inspection	52,992	4,776	18,906	76,674
Percent Change Since Last Fiscal Year	2.85%	1.64%	1.19%	2.36%
Estimated Number of Annual Inspections Required	90,014	9,552	18,906	118,472
Number Active Licenses Inspected Once	22,007	1,109	12,694	35,810
Number Active Licenses Inspected Twice	26,965	3,011	642	30,618
Number Active Licenses Inspected 3 Times	2,807	446	59	3,312
Number Active Licenses Inspected 4 or More Times	451	152	12	615
Number Active Licenses Not Inspected This Period	743	57	5,496	6,296
Percent Active Licenses Inspected Once	41.53%	23.22%	67.14%	46.70%
Percent Active Licenses Inspected Twice	50.89%	63.04%	3.40%	39.93%
Percent Active Licenses Inspected 3 Times	5.30%	9.34%	0.31%	4.32%
Percent Active Licenses Inspected 4 or More Times	0.85%	3.18%	0.06%	0.80%
Percent Active Licenses Not Inspected This Period	1.40%	1.19%	29.07%	8.21%
Number Active Licenses that Met or Exceeded Annual	-			
Requirement	45,833	3,718	13,411	62,962
Percent Active Licenses that Met or Exceeded Annual				
Requirement	86.49%	77.85%	70.94%	82.12%

SOURCE: DBPR Versa: Regulation Single Licensing System 07.03.2017

Note:\*Other than apartments and vacation rentals. For purpose of this table, the term "lodging" includes hotels, motels and bed & breakfast inns. Vacation rentals are inspected in response to complaints and are not included above. The number of active licenses is slightly different from Table 3 because of license processing accomplished since compiling the data for that table.

### Table 8A: Public Food Service Risk Level Inspection Requirements

RISK-BASED CATEGORY	DESCRIPTION	INSPECTION S REQUIRED	LICENSE COUNT
Level 1	<ul> <li>Temporary public food service establishments, Vending machines,</li> <li>Public food service establishments that:</li> <li>Do not cook raw animal food; or</li> <li>Cook raw animal food, but do not cool any cooked/heated foods.</li> </ul>	1	16,165
Level 2	<ul> <li>Public food service establishments that:</li> <li>Cook raw animal food and cool any cooked/heated food; or</li> <li>Conduct a special process as defined in 3-502.11 or 3-502.12, 2009 FDA Food Code; or</li> <li>Serve a raw or undercooked animal food that requires a consumer advisory.</li> </ul>	2	36,633
Level 3	<ul> <li>Public food service establishments that:</li> <li>Have a history of non-compliance (the division has taken three or more disciplinary actions over a two-year period) or</li> <li>Serve a highly susceptible population (HSP).</li> </ul>	3	193
Level 4	Public food service establishments that have been identified by the Florida Department of Health in a confirmed foodborne illness.	4	47

SOURCE: DBPR Versa: Regulation Single Licensing System 07.01.2017

Note: A public food service establishment's inspection requirement is determined by its Risk Level.

Division of Hotels and Restaurants Annual Report: FY 2016-2017

# **Food Service Violations**

### Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2016-17

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
1. FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH NTERVENTIONS							
01A Food obtained from approved source	142	0	0	0	142	0.02%	0.002
01B Food safe and unadulterated; sound condition	11,405	69	18	0	11,492	1.60%	0.134
01C Shellstock tags; commingling	0	2,753	78	0	2,831	0.39%	0.033
D1D Parasite destruction for aw/undercooked fish	1,319	29	0	0	1,348	0.19%	0.016
02A Consumer advisory on raw/undercooked oysters	0	405	0	0	405	0.06%	0.00
02B Consumer advisory on aw/undercooked animal foods	10	3,199	0	0	3,209	0.45%	0.037
D2C Date marking ready-to-eat (RTE) potentially hazardous/time/temperature control for safety foods	1,413	15,866	0	0	17,279	2.40%	0.20
03A Receiving and holding PH/TCS oods cold	23,320	1	68	0	23,389	3.25%	0.272
03B Receiving and holding PH/TCS foods hot	6,078	0	0	0	6,078	0.84%	0.07
D3C Cooking raw animal foods and plant oods; noncontinuous cooking of raw animal foods	229	231	0	0	460	0.06%	0.00
03D Cooling PH/TCS foods; proper cooling methods	3,514	4,826	0	0	8,340	1.16%	0.09
03E Reheating PH/TCS foods for hot holding	651	0	4	0	655	0.09%	0.00
D3F Time as a Public Health Control	2,968	1,728	1	0	4,697	0.65%	0.05
03G Reduced oxygen packaging (ROP) and other Special Processes	356	47	0	0	403	0.06%	0.00
07 Unwrapped or PH/TCS food not re-served	179	0	0	0	179	0.02%	0.00
08A Separating raw animal foods from: each other, RTE foods and unwashed produce	19,349	11	773	0	20,133	2.80%	0.23
08B Food protection during preparation, storage and display	1,742	486	28,358	0	30,586	4.25%	0.35
09 Bare hand contact with RTE food; Alternative Operating Procedure (AOP)	2,137	30	224	0	2,391	0.33%	0.02
11 Employee health knowledge; Il/symptomatic employee present	45	2,385	7	0	2,437	0.34%	0.02
I2A Hands clean and washed properly; use of hand antiseptic if use of AOP	13,057	1,211	0	0	14,268	1.98%	0.16
I2B Employee eating, drinking, tasting ood, smoking	0	1	14,510	0	14,511	2.02%	0.16

# **Food Service Violations**

### Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2016-17

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per insp
. FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH NTERVENTIONS							
22 Food-contact surfaces clean and sanitized	6,962	49,196	8,961	0	65,119	9.05%	0.75
B1A Handwash sink(s) installed, accessible, not used for other purposes	0	21,814	0	0	21,814	3.03%	0.25
81B Handwashing supplies and nandwash sign provided	0	19,253	8,384	0	27,637	3.84%	0.32
32 Bathrooms	0	140	6,151	0	6,291	0.87%	0.07
11 Chemicals/toxic substances	11,733	6,919	417	0	19,069	2.65%	0.22
53A Food manager certification; knowledge/active managerial control except employee health)	0	8,675	0	0	8,675	1.21%	0.10
53B State approved food handler raining; employee duty specific raining/knowledge	0	13,990	0	0	13,990	1.94%	0.16
Subtotal: 1. FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS	106,609	153,265	67,954	0	327,828	45.56%	3.81
2. GOOD RETAIL PRACTICES							
02D Food items properly labeled; original container 03 Food at proper temperature manually entered/scanned)	0	480	9,554	0	10,034	1.39%	0.11
04 Facilities to maintain PH/TCS foods at the proper temperature	0	41	0	0	41	0.01%	0.00
5 Food and food equipment hermometers provided and accurate	16	5,419	6,800	0	12,235	1.70%	0.14
06 PH/TCS foods properly thawed	0	0	4,312	0	4,312	0.60%	0.05
08 Food protection/cross-contamination manually entered/scanned)							
0 In use food dispensing utensils properly stored	393	0	20,815	0	21,208	2.95%	0.24
2 Hand washing, hygiene, alternative operation plan (manually entered/scanned)							
3 Clean clothes; hair restraints; jewelry; painted/artificial fingernails	0	271	10,440	0	10,711	1.49%	0.12
4 Food-contact and nonfood contact surfaces designed, constructed, naintained, installed, located	1,173	5,597	54,009	0	60,779	8.45%	0.70
I6 Dishwashing facilities; chemical test (it(s); gauges	38	8,833	11,393	0	20,264	2.82%	0.23
21 Wiping cloths; clean and soiled inens; laundry facilities	0	0	22,448	0	22,448	3.12%	0.26

## Public Lodging and Food Service Establishment Food Service Violations

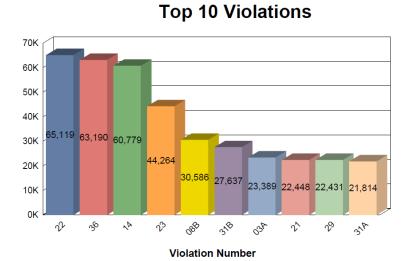
### Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2016-2017

(continued)

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
2. GOOD RETAIL PRACTICES							
23 Non-food contact surfaces clean	1	0	44,263	0	44,264	6.15%	0.515
24 Storage/handling of clean equipment, utensils; air drying	0	0	14,121	0	14,121	1.96%	0.164
25 Single-service and single-use items	13	0	13,200	0	13,213	1.84%	0.154
27 Water source safe, hot (100F) and cold under pressure	74	6,772	585	0	7,431	1.03%	0.086
28 Sewage and waste water disposed properly	648	49	382	0	1,079	0.15%	0.013
29 Plumbing installed and maintained; mop sink; water filters; backflow prevention	8,834	748	12,849	0	22,431	3.12%	0.26
31 Toilet and handwashing facilities,							
number, convenient, designed, installed							
33 Garbage and refuse; premises maintained	0	0	10,545	0	10,545	1.47%	0.123
35A No presence or breeding of	8,335	167	2,690	0	11,192	1.56%	0.13
insects/rodents/pests; no live animals	0,000	107	2,000	Ŭ	11,102	1.0070	0.100
35B Outer openings protected from	0	0	6,305	0	6,305	0.88%	0.07
nsects/pests, rodent proof					-,		
36 Floors, walls, ceilings and attached	0	0	63,190	0	63,190	8.78%	0.73
equipment properly constructed and clean; rooms and equipment properly vented							
38 Lighting provided as required; fixtures shielded or bulbs protected	0	0	6,802	0	6,802	0.95%	0.079
39 Rooms and equipment - vented as							
required							
40 Employee personal belongings	0	0	7,297	0	7,297	1.01%	0.08
42 Cleaning and maintenance	0	0	7,196	0	7,196	1.00%	0.084
43 Complete separation from living/sleeping area/private premise; kitchen restricted - no unauthorized personnel	2	106	23	0	131	0.02%	0.002
50 Current license, properly displayed	625	0	2,542	0	3,167	0.44%	0.037
51 Other conditions sanitary and safe operation	0	1,185		19	10,585	1.47%	0.123
52 Misrepresentation; misbranding	0	429	81	0	510	0.07%	0.00
54 Florida Clean Indoor Air Act Compliance	0	0	33	0	33	0.00%	0.000
55 Automatic Gratuity Notice	0	0	8	0	8	0.00%	0.00
Subtotal: 2. GOOD RETAIL PRACTICES	20,152	30.007	341,283	10	391,532	54.41%	4.55

### Table 9: Number and Type of Violations Found in Public Food Service Establishments—FY 2016-2017 (continued)

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
3. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY							
35B-02 Doors required to swing in the direction of egress travel	0	0	213	0	213	0.03%	0.002
45 Fire extinguishing equipment	0	0	0	1,034	0	0.00%	0.012
46 Exits not blocked or locked	0	0	0	701	0	0.00%	0.008
47 Electrical wiring/outlets in good repair	0	0	0	189	0	0.00%	0.002
48 Gas appliances; boiler certificate current/posted	0	0	0	600	0	0.00%	0.007
49 Flammable/combustible materials	0	0	0	141	0	0.00%	0.002
Subtotal: 3. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY	0	0	213	2,665	213	0.03%	0.033
GRAND TOTAL	126,761	183,362	409,450	2,684	719,573		8.365
Average per Inspection:	1.474	2.131	4.760	0.031	8.365	I I	



Тор	10 Food Violations
22	Food-contact surfaces clean and sanitized
36	Floors, walls, ceilings and attached equipment properly constructed and clean; rooms and equipment properly vented
14	Food-contact and nonfood contact surfaces designed, constructed, maintained, installed, located
23	Non-food contact surfaces clean
08B	Food protection during preparation, storage and display
31B	Handwashing supplies and handwash sign provided
03A	Receiving and holding PH/TCS foods cold
21	Wiping cloths; clean and soiled linens; laundry facilities
29	Plumbing installed and maintained; mop sink; water filters; backflow prevention
31A	Handwash sink(s) installed, accessible, not used for other purposes

# **Lodging Violations**

### Table 10: Number and Type of Violations Found in Public Lodging Establishments—FY 2016-2017

Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
1. LODGING VIOLATIONS							
02 Safety: Fire hazards	1,331	0	0	0	1,331	2.75%	0.057
05 Safety: Hearing impaired smoke detectors	826	0	0	0	826	1.71%	0.036
08 Safety: Boiler, boiler room	92	0	0	0	92	0.19%	0.004
09 Safety: Lighting: public, guest rooms	0	0	174	0	174	0.36%	0.007
10 Safety: Adequate heating	5	0	0	0	5	0.01%	0.000
11 Safety: Appliances properly installed; maintained	0	0	660	0	660	1.36%	0.028
12-04 Safety: Balcony: railing with greater than 4 inch opening	2,774	0	0	0	2	0.00%	0.120
13 Safety: Building repair	0	0	8,529	0	8,529	17.61%	0.367
14 Safety: Proper locking devices	210	0	0	0	210	0.43%	0.009
15 Sanitation: Bathrooms: public, guest, supplies	0	0	1,192	0	1,192	2.46%	0.051
16 Sanitation: Water source safe; hot/cold provided	129	0	0	0	129	0.27%	0.006
17 Sanitation: Bedding: bed linens, towels	0	0	1,350	0	1,350	2.79%	0.058
19 Sanitation: Plumbing	3,733	74	454	0	4,261	8.80%	0.184
20 Sanitation: Ventilation	Ó	0	419	0	419	0.87%	0.018
21 Sanitation: Toxics: storage, use	213	560	0	0	773	1.60%	0.033
22 Sanitation: Ice protection	1,116	0	0	0	1,116	2.30%	0.048
23 Sanitation: Glassware; tableware; utensils sanitized	453	19	243	0	715	1.48%	0.031
24 Sanitation: Vermin control	2,181	0	0	0	2,181	4.50%	0.094
25 Sanitation: Premises maintained	Ó	Ō	7,847	0	7,847	16.20%	0.338
26 Sanitation: Garbage and refuse disposal	0	0	9,238	0	9,238	19.07%	0.398
27 Sanitation: Sewage and waste water disposal	73	0	28	0	101	0.21%	0.004
29 Consumer Protection: Guest property: iability, notified	0	0	1	0	1	0.00%	0.000
33 Consumer Protection: Unethical business practices; overbooking	2	0	0	0	2	0.00%	0.000
34 Consumer Protection: Licensee: criminal conduct	0	0	1	0	1	0.00%	0.000
35 Consumer Protection: Florida Clean ndoor Air Act	0	0	4	0	4	0.01%	0.000

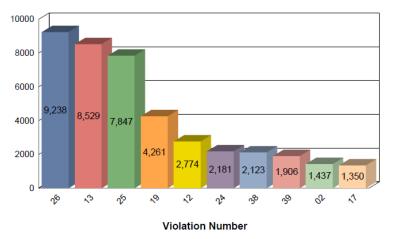
NOTE: Based on initial inspections only. Labels were changed on 1/1/2013. After that date, some violations were combined into others. Reporting violations are not counted in sum total.

### Continued on next page

# **Lodging Violations**

# Table 10: Number and Type of Violations Found in Public Lodging Establishments—FY 2016-2017 *(Continued)*

		(Continu	ea)				
Violation Codes	High Priority	Intermediate	Basic	Reporting	Total	% of All Violations	Avg # per Insp
1. LODGING VIOLATIONS							
36 Consumer Protection: Telephone surcharge posted	0	0	399	0	399	0.82%	0.017
37 Consumer Protection: Guest register	0	0	24	0	24	0.05%	0.001
38 General: Current license: displayed, available upon request	1,215	0	908	0	2,123	4.38%	0.091
39 General: Housekeeping	0	0	1,906	0	1,906	3.94%	0.082
40 General: Other conditions: safe, sanitary	28	0	21	0	49	0.10%	0.002
Subtotal: 1. LODGING VIOLATIONS	14,381	653	33,398	0	48,432	100.00%	2.087
2. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY							
01 Safety: Fire extinguishers	0	0	0	1,112	0	0.00%	0.048
02 Safety: Fire hazards	0	0	0	106	0	0.00%	0.005
03 Safety: Fire Sprinkler system	0	0	0	11	0	0.00%	0.000
04 Safety: Smoke detectors; fire alarm systems	0	0	0	784	0	0.00%	0.034
05 Safety: Hearing impaired smoke detectors	0	0	0	41	0	0.00%	0.002
06 Safety: Exits obstructed	Ó	0	0	164	0	0.00%	0.007
07 Safety: Electrical wiring in good repair	0	0	0	109	0	0.00%	0.005
08-03 Safety: Boiler certificate	0	0	0	467	0	0.00%	0.020
11 Safety: Appliances properly installed; maintained	0	0	0	14	0	0.00%	0.001
Subtotal: 2. FIRE VIOLATIONS - FOR REPORTING PURPOSES ONLY	0	0	0	2,808	0	0.00%	0.121
GRAND TOTAL	14,381	653	33,398	2,808	48,432		2.087
Average per Inspection:	0.620	0.028	1.439	0.121	2.087		



**Top 10 Violations** 

Тор	Top 10 Lodging Violations								
26	Garbage and Refuse Disposal								
13	Building Repair								
25	Premises Maintained								
19	Plumbing								
12	Balcony, Railing Safety								
24	Vermin Control								
38	Current License Displayed								
39	Housekeeping								
2	Fire Hazards								
17	Sanitation: Bedding: Bed linens, towels								

# **Lodging Violations**

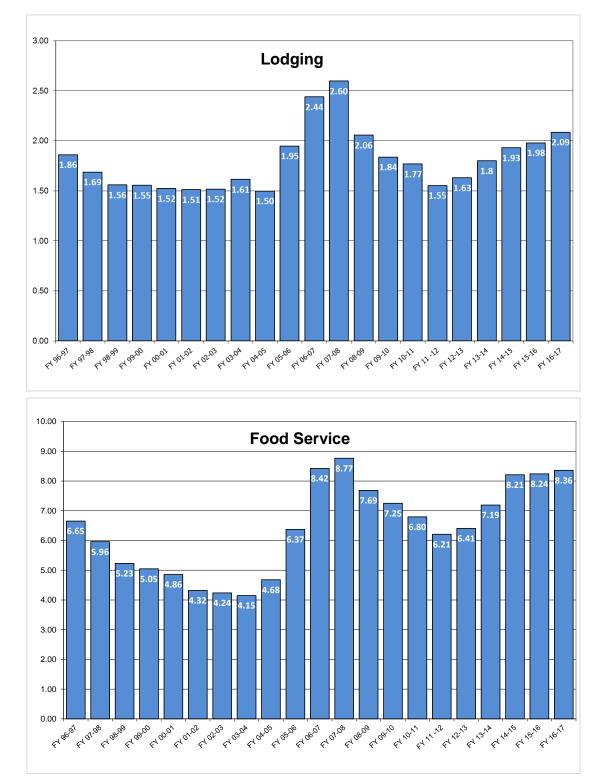


Figure 4: Historical Comparison of Average Number of Violations per Inspection

# **Consumer Complaints**

### Table 11: Foodborne Illness Complaint Activity—FY 2016-2017

	DISTRICT									
DISPOSITION	OTHER	1	2	3	4	5	6	7	TOTAL	
Confirmed *	0	25	25	64	1	8	26	8	157	
Handled by Phone	0	0	0	0	0	1	0	0	1	
Not Observed	1	77	142	242	381	318	131	170	1,462	
Other	4	126	255	83	64	17	75	50	674	
Subtotal	5	228	422	389	446	344	232	228	2,294	

SOURCE: DBPR Versa: Regulation Single Licensing System 8. 16.2017

\*Disposition based on inspection violations, not epidemiological outcomes

### Table 12: Consumer Complaint Activity— FY 2016-2017

		-			DISTRICT			-	
DISPOSITION	OTHER	1	2	3	4	5	6	7	TOTAL
Food Service		-		-			-		
Confirmed	7	91	249	366	51	224	189	109	1,286
Handled by Phone	3	3	3	2	19	20	10	0	60
Not Observed	26	279	612	710	912	548	348	327	3,762
Other	39	305	213	353	524	155	49	146	1,784
Subtotal	75	678	1,077	1,431	1,506	947	596	582	6,892
Lodging - Apartments	s								
Confirmed	0	14	10	40	12	23	24	4	127
Handled by Phone	0	0	1	1	2	2	6	0	12
Not Observed	0	29	39	41	30	43	29	11	222
Other	0	66	35	59	25	12	17	6	220
Subtotal	0	109	85	141	69	80	76	21	581
Lodging - Hotels, Mot	tels and E	Bed &	Breakfas	sts					
Confirmed	0	10	50	88	31	69	99	17	364
Handled by Phone	0	2	93	0	7	1	0	0	103
Not Observed	0	10	0	166	309	127	115	62	789
Other	0	99	39	71	192	32	11	19	463
Subtotal	0	121	182	325	539	229	225	98	1,719

SOURCE: DBPR Versa: Regulation Single Licensing System 8.16.2017.

NOTE: Confirmed and Not Observed denotes that the division followed up with an inspection. Disposition "Other" includes

all other follow-ups other than phone calls, including letters, e-mails, referrals to other agencies, and-most commonly-not recorded, possibly due to an open investigation

# **Consumer Complaints**

### Table 12: Consumer Complaint Activity— FY 2016-2017

(Continued)										
	DISTRICT									
DISPOSITION	OTHER	1	2	3	4	5	6	7	TOTAL	
Lodging – Vacation Rentals				-	-				-	
Confirmed	0	2	1	0	6	1	6	3	19	
Handled by Phone	0	0	0	0	0	0	0	0	0	
Handled by Compliance	1	3	212	14	32	3	9	3	277	
Not Observed	0	4	8	13	50	3	13	5	96	
Other	0	4	2	9	29	5	15	1	65	
Subtotal	1	13	223	36	117	12	43	12	457	

### 1,989 941 11,943 **GRAND TOTAL** 81 1,149 2,322 2,677 1,612 1,172

SOURCE: DBPR Versa: Regulation Single Licensing System 8.16.2017 and Office of Compliance.

6,000

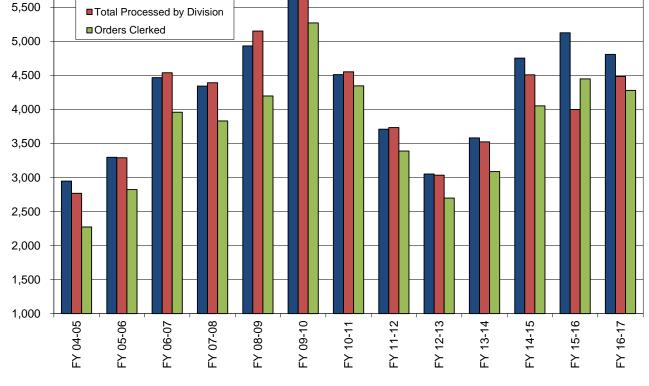
NOTE: Confirmed and Not Observed denotes that the division followed up with an inspection. Disposition "Other" includes

all other follow-ups other than phone calls, including letters, e-mails, referrals to other agencies, and-most commonly-not recorded, possibly due to an open investigation

**Compliance** 

# Cases Issued

### Figure 5: Historical Comparison of Food and Lodging Compliance Activity



# Compliance

### Table 13: Compliance Activity—FY 2016-17

COMPLIANCE ACTIVITY	FOOD SERVICE	LODGING	ELEVATORS	TOTAL
Cases issued	3,089	305	1,412	4,806
1st offender	2,342	272	1,127	3,741
2nd offender	564	29	203	796
3rd offender	134	3	59	196
4th or higher offender	49	1	23	73
Settlement Officers				
Settled	2,333	139	251	2,723
Dismissed/Closed	219	96	1	316
Final Orders on Waiver	227	44	935	1,206
Sent to Office of General				
Counsel	225	13	1	239
Total processed by division	3,004	292	1,188	3,998
Office of General Counsel				
Informal Hearings	150	10	57	217
Formal Hearings	4	0	0	4
Dismissed/Closed	32	3	10	45
Stipulation & Consent Orders	0	0	0	0
Agency Clerk				
Orders Clerked	2,759	191	1,330	4,280
Actions				
Suspensions	64	0	0	64
Revocations	1	0	0	1
Fines assessed	\$1,117,686	\$54,820	\$421,750	\$1,594,256
Average fine assessed	\$415	\$295	\$318	\$346
Median fine assessed	\$400	\$200	\$250	\$250
Lowest fine assessed	\$100	\$100	\$250	\$100
Highest fine assessed	\$4,200	\$960	\$1,000	\$4,200
Most frequent fine assessed	\$400	\$200	\$250	\$250
Fines collected	\$1,131,547	\$52 <i>,</i> 430	\$376,059	\$1,560,687

SOURCE: DBPR Versa: Regulation Single Licensing System 08.18.2017

# **Bureau of Elevator Safety**

### **Table 14: Elevator Accounts**

	-	%	-	%	-		-	Special	
ELEVATOR TYPE	Current	Current	Delinquent	Delinquent	Total	Permits	Sealed	Sealed	Total
Traction Passenger	11,521	97.38%	310	2.62%	11,831	582	122	79	12,614
Hydraulic Passenger	34,016	97.10%	1,016	2.90%	35,032	595	337	253	36,217
Traction Freight	325	94.48%	19	5.52%	344	9	40	42	435
Hydraulic Freight	606	95.43%	29	4.57%	635	11	30	34	710
Hand Power Passenger	1	100.00%	0	0.00%	1	0	0	2	3
Hand Power Freight	2	100.00%	0	0.00%	2	0	8	5	15
Moving Walk	38	95.00%	2	5.00%	40	8	0	0	48
Inclined Lift	25	92.59%	2	7.41%	27	2	0	0	29
Limited Use Limited Application	357	94.44%	21	5.56%	378	17	19	9	423
Dumbwaiter	350	93.33%	25	6.67%	375	14	259	45	693
Escalator	1,082	92.24%	91	7.76%	1,173	60	63	13	1,309
Sidewalk Elevator	1	100.00%	0	0.00%	1	0	4	0	5
Material Lift, Dumbwaiter, ATD	8	88.89%	1	11.11%	9	3	1	0	13
Special Purpose Personnel Elevator	79	87.78%	11	12.22%	90	1	14	0	105
Inclined Stairway Chair Lift	52	92.86%	4	7.14%	56	5	13	0	74
Inclined & Vertical Wheelchair Lift	2,770	93.11%	205	6.89%	2,975	112	232	85	3,404
Total	51,233	96.72%	1,736	3.28%	52,969	1,419	1,142	567	56,097

SOURCE: DBPR Versa: Regulation Single Licensing System 07.01.2017

### Figure 6: Historical Comparison of Total Active Elevator Accounts and Licensing Compliance



# **Bureau of Elevator Safety**

### **Table 15: Elevator Professional Credential Accounts**

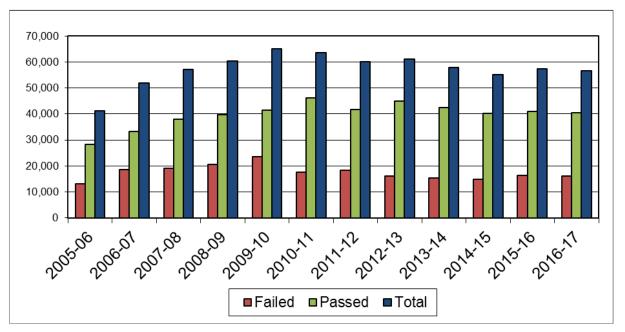
LICENSE TYPE	2008- 09	2009- 10	2010- 11	2011- 12	2012- 13	2013- 14	2014- 15	2015- 16	2016- 17
Registered Elevator Companies	252	286	268	300	288	286	275	302	332
Certified Elevator Inspectors	295	354	355	364	360	351	332	350	379
Certified Elevator Technicians*	784	1,130	1,337	1,589	1,562	1,525	1,645	1,650	1,636
Certificates of Competency	1,637	1,871	1,956	1,916	1,734	1,763	1,810	1,797	1,797

SOURCE: Extracts and reports from 2008-2017

### Table 16: Elevator Inspections Performed by Inspection Type–FY 2016-17

INSPECTION TYPE	Failed	Passed	Total
Accident	14	25	39
Alteration/Acceptance	39	1,398	1,437
Callback	1,600	9,238	10,838
Complaint	206	66	272
Construction	519	96	615
Contract Monitoring	323	340	663
Industry Oversight/Audit	353	542	895
Initial Acceptance	33	1,342	1,375
Routine	12,885	26,946	39,831
Temporary Operation Inspection	46	589	635
Total	16,018	40,582	56,600

### Figure 7: Historical Comparison of Elevator Inspections



# **Bureau of Elevator Safety**

### Table 17: Historical Comparison of Elevator Accidents

ELEVATOR TYPE	2008- 09	2009- 10	2010- 11	2011- 12	2012- 13	2013- 14	2014- 15	2015- 16	2016- 17	Total	% Total
Dumbwaiter	4	1	1	1	0	1	0	0	0	8	0.2%
Escalator	301	218	236	224	267	183	297	288	254	2,268	59.6%
Hydraulic Freight	3	3	5	0	2	3	2	2	3	23	0.6%
Hydraulic Passenger	31	46	44	33	32	18	19	18	15	256	6.7%
Inclined Lift	1	2	1	0	1	0	1	0	0	6	0.2%
Inclined Wheel	1	2	0	0	1	0	0	0	1	5	0.1%
Limited Use	0	0	0	1	1	1	0	0	0	3	0.1%
Moving Walk	25	58	91	91	116	64	136	187	85	853	22.4%
Special Purpose	0	0	0	0	1	0	0	0	1	117	0.1%
Traction Freight	3	1	1	1	0	0	0	0	0	6	0.2%
Traction Passenger	45	53	36	51	42	32	42	35	37	373	9.8%
Total	414	384	415	402	463	302	497	530	396	3,803	100.0%

SOURCE: Versa Regulation: 2008-2017