

Division of Hotels and Restaurants

Annual Report
Fiscal Year 2004-2005

Florida Department of
Business and Professional
Regulation



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Governor

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Division of Hotels and Restaurants

Annual Report: FY 2004-2005

The Division of Hotels and Restaurants (H&R) is responsible for licensing, inspecting and regulating public lodging and food service establishments in Florida.¹ The mission of the division is to protect the health and safety of the public through education in partnership with industry. The division is also responsible for licensing and regulating elevators, escalators and other vertical conveyance devices.²

During the past fiscal year, the division completed implementation of the department-wide technology and re-engineering project. The improved technology is used to more efficiently inspect food service and lodging establishments.

The division is organized into four main units:

- Bureau of Sanitation and Safety Inspections (includes 7 district offices);
- Bureau of Elevator Safety;
- Office of Compliance and Licensure; and
- Director's Office, which includes the Hospitality Education Program.

In Fiscal Year 2004-2005, the division was authorized 257 positions to provide program services and an operating budget of \$16,750,402. During this period, the division:

- conducted a total of 114,293 public food service and lodging establishment inspections to ensure sanitation and safety standards (see table on page 9);
- conducted over 15,000 emergency inspections in the aftermath of the 2004 hurricanes (not included in normal inspection count);
- cited a total of 489,272 violations of sanitary standards in public food service and lodging establishments (see tables on pages 11-13); and
- continued to implement enterprise-wide re-engineering project to improve future operating efficiencies and enhance inspection procedures.

OFFICE OF THE DIRECTOR

Geoff Luebke, Director

The Office of the Director oversees activities of the division. The director supervises the administration of the Hospitality Education Program; oversees the preparation of the division's annual legislative budget request; 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 pertaining to the division's programs. The director works closely with the department's legal staff regarding matters of enforcement and compliance, and emergency closures for establishments posing an immediate health or safety threat to the public.

BUREAU OF SANITATION AND SAFETY INSPECTIONS

Kendall Burkett, Bureau Chief

During Fiscal Year 2004-2005, the Bureau of Sanitation and Safety accomplished 114,293 inspections of more than 78,800 food service and lodging establishments to ensure the health and safety of Florida's 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

¹ Pursuant to Chapter 509, Florida Statutes.

² Pursuant to Chapter 399, Florida Statutes.

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 critical violations with a specified time period to verify correction of deficiencies;
- Food service inspections for alcoholic beverage license applicants;
- Complaint investigations;
- Foodborne illness investigations in coordination with the Florida Department of Health;
- Enforces licensee compliance with the Florida Clean Indoor Air Act; and
- Long distance telephone carrier access and posting of charges for the Florida Public Service Commission.

The Office of Program Quality (OPQ), a part of the bureau, ensures that all inspection staff are properly trained by our staff of qualified trainers. This office provides new employee orientation programs that provide step-by-step levels of instruction and participation geared toward producing well-rounded, consistent and knowledgeable inspectors.

The 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 FDA certified inspection/training officers on risk based and Hazard Analysis and Critical Control Point inspections. Each inspector receives 20 continuing education hours per year for food service and 40 hours training every 3 years for fire safety, all of which are facilitated by this office.

OPQ staff is responsible for monitoring federal and state food and fire safety code changes, which affect the division and making recommendations to management regarding rules and policies influenced by those changes. The technical coordinators also assist in 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. In addition, the coordinators address technical questions from the public regarding laws, rules and procedures, and field complaints prior to investigation by the district offices. This office also oversees plan review for new or altered food service establishments, acting on variance requests and ensuring statewide consistency of each district office plan reviewer.

OFFICE OF COMPLIANCE AND LICENSURE

Thomas N. Coker, Operations and Management Consultant Manager

The Compliance Section manages the administrative enforcement activity of the division. In addition, this office 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 enforcement program has continued to emphasize compliance rather than enforcement in keeping with the division's mission. The program includes an informal, less adversarial, settlement process that concludes cases in a shorter period of time and reduces the need for litigation.

The Licensure Section processes licenses for public lodging and food service establishments and issues elevator certificates of operation. Staff enters new licenses, changes of ownership and creates electronically generated management reports for the division. Staff also reconciles license fees, resolves licensing problems and provides license information to the public and the division's field staff.

The former Operational Development and Information Office (ODI) function, which was responsible for analyzing business processes and recommending ongoing improvement initiatives, has been assimilated into the Office of Compliance and Licensure. This also includes responsibility for designing, producing and maintaining most of the division's customized forms and other publications, including forms, brochures, newsletters and reproductions of applicable statutes, rules and codes for use by the division's staff, licensees and the general public.

Additionally, staff develop the division's web content ensuring timely sharing of information on the department's Internet and Intranet sites. OCL staff members also serve as technical coordinators for the division, providing assistance and information to the State Technology Office regarding the division's computer resources.

BUREAU OF ELEVATOR SAFETY

John Calpini, 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 American Society of Mechanical Engineers' Safety Code for Elevators and Escalators; portions of the National Electrical Code; State Fire Marshal's Uniform Fire Safety Standards; Americans with Disability Act Requirements; Chapter 399, Florida Statutes; and Chapter 61C-5, Florida Administrative Code (FAC).

The bureau is responsible for issuing certificates of operation for elevators; issuing construction and alteration permits; elevator company registration; and issuing Certificates of Competency. Annual service maintenance contract status verification and renewals of Certificates of Operation are coordinated with the division's Office of Compliance and Licensure. The bureau also manages contracts with the cities of Miami, Miami Beach, Miami-Dade County, Broward County and Reedy Creek Improvement District to ensure that these local programs adhere to state standards.

The bureau's statutory responsibility has changed, and now consists primarily of monitoring private industry inspectors and responding to complaints, which resulted in a reduction in inspections from previous years. The bureau conducted 708 monitoring and 180 complaint inspections during Fiscal Year 2004-2005.

HOSPITALITY EDUCATION PROGRAM

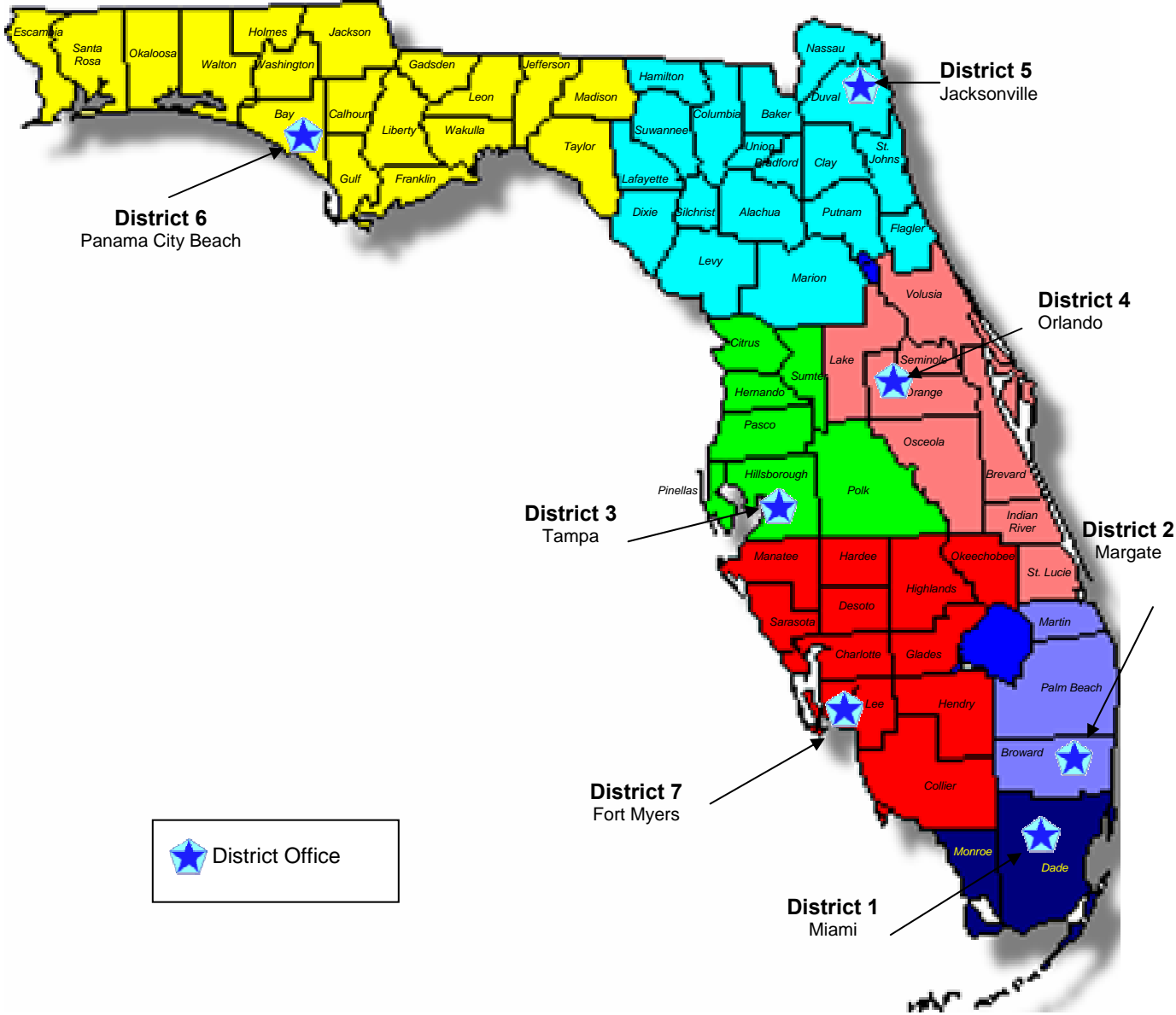
Angel Gonzalez, Director of Education

The Hospitality Education Program (HEP)—founded in 1961 and unique among state food safety programs—is designed to provide education and information to operators of hospitality businesses licensed by the division. Funding is provided from a fee which is included as part of every public lodging and food service establishment's license fee.

The program researches, prepares and presents educational materials and training classes to licensees relevant to the operation and regulation of the hospitality industry. Located in the University Center at Florida State University, the Hospitality Education Program office and resource library contains over 6,000 items, including over 60 periodicals.

During the past year, the Hospitality Education Program trained more than 8,447 hospitality industry employees in workshops offered in communities throughout the state. HEP workshops are offered in English and Spanish. Print materials are offered in several other languages including Mandarin Chinese, Creole and Spanish.

Division of Hotels and Restaurants
Regulatory Districts



Plan Reviews and Variances

Table 1: Number of Plan Reviews by Type and Fees Processed—FY 2004-2005

DISTRICT	New Construction	Conversion	Closed	Remodeled	Total	Fees
1	410	13	48	66	537	\$80,550
2	484	38	69	152	743	\$111,450
3	385	199	78	212	874	\$131,100
4	720	4	79	197	1,000	\$150,000
5	518	17	46	122	703	\$105,450
6	171	5	23	48	247	\$37,050
7	383	15	45	129	572	\$85,800
TOTAL	3,071	291	388	926	4,676	\$701,400

Table 2: Number of Variances and Fees Processed—FY 2004-2005

DISTRICT	No. of Variances			Fees		
	Routine	Emergency	Total	Routine	Emergency	Total
1	1	1	2	\$150	\$300	\$450
2	4	1	5	\$600	\$300	\$900
3	4	7	11	\$600	\$2,100	\$2,700
4	11	18	29	\$1,650	\$5,400	\$7,050
5	3	8	11	\$450	\$2,400	\$2,850
6	0	2	2	\$0	\$600	\$600
7	2	5	7	\$300	\$1,500	\$1,800
TOTAL	25	42	67	\$3,750	\$12,600	\$16,350

Public Lodging and Food Service Establishment

Licensing

Table 3: Public Lodging and Food Service Establishment License Accounts—End of FY 2004-2005

Establishment Type	DISTRICT							TOTAL
	1	2	3	4	5	6	7	
PUBLIC LODGING ESTABLISHMENTS								
Hotels	330	218	160	288	123	70	111	1,300
Motels	330	489	610	659	414	412	394	3,308
Nontransient Apartments	6,215	4,346	2,963	2,273	1,475	1,065	988	19,325
Transient Apartments	140	367	259	129	46	25	221	1,187
Nontransient Rooming Houses	63	36	17	21	14	4	17	172
Transient Rooming Houses	76	36	54	56	27	12	15	276
Bed and Breakfasts	58	17	36	41	74	24	19	269
Resort Condominiums								
Single	187	19	46	439	21	228	40	980
Group	68	82	89	243	57	187	231	957
Collective	35	21	118	51	21	115	162	523
Resort Dwellings								
Single	173	1	1,720	4,963	22	812	73	7,764
Group	11	2	9	7	11	17	11	68
Collective	29	4	37	106	7	93	144	420
SUBTOTAL	7,715	5,638	6,118	9,276	2,312	3,064	2,426	36,549
PUBLIC FOOD SERVICE ESTABLISHMENTS								
Seating	4,697	6,136	5,930	6,749	3,992	2,613	3,904	34,021
Permanent Nonseating	867	1,039	906	1,051	485	262	430	5,040
Theme Park Food Carts	0	0	12	20	8	0	0	40
Catering	54	105	58	83	48	22	33	403
Hot Dog Carts	120	42	104	128	117	16	41	568
Mobile Food Dispensing Vehicles	345	140	408	430	170	105	138	1,736
Vending Machines	0	37	3	373	11	2	43	469
SUBTOTAL	6,083	7,499	7,421	8,834	4,831	3,020	4,589	42,277
GRAND TOTAL	13,798	13,137	13,539	18,110	7,143	6,084	7,015	78,826

SOURCE: DBPR Single Licensing System 07.05.2005

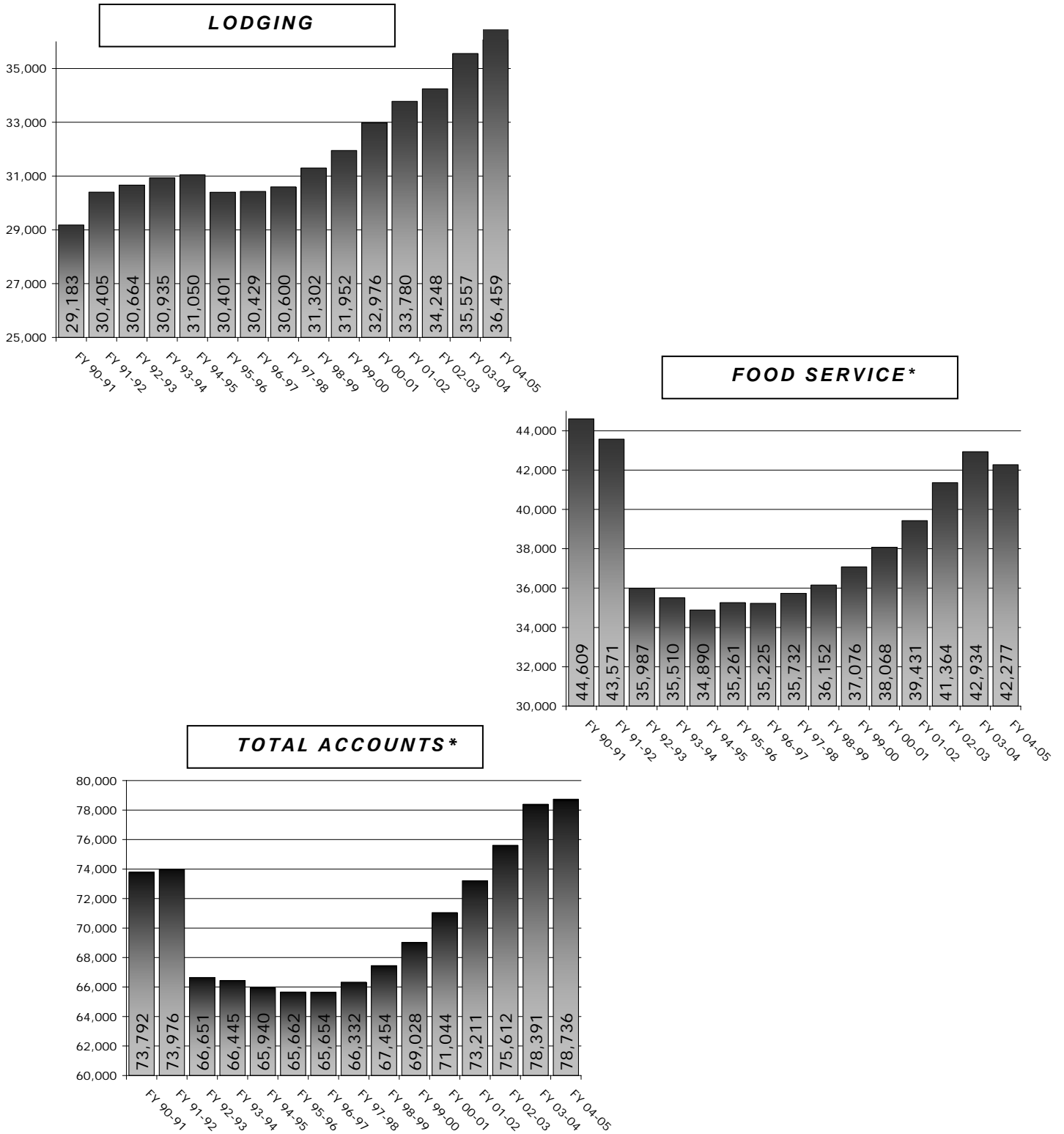
Table 4: Temporary Food Service Event Licenses Issued — FY 2004-2005

License Type	DISTRICT							TOTAL
	1	2	3	4	5	6	7	
1-3 day license	530	391	191	663	122	134	20	2,051
4-30 day license	341	291	553	683	387	136	261	2,652
Annual license	2	5	2	3	3	1	0	16
Total	874	689	749	1,353	517	277	288	4,719

SOURCE: DBPR Single Licensing System 08.17.2005

Licensing

Figure 1: Historical Comparison of Total Number of Public Lodging and Food Service Accounts



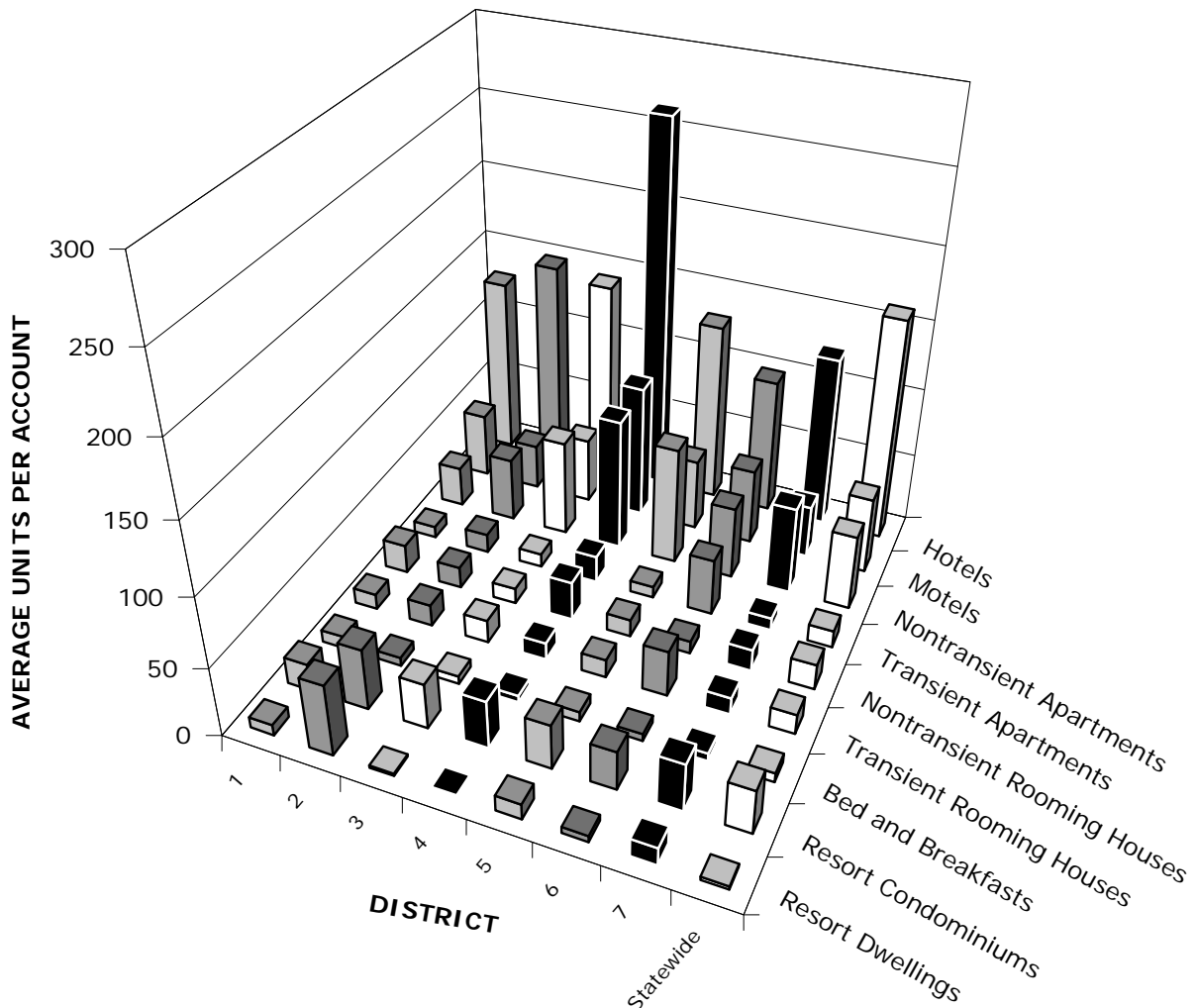
* Number of food service accounts dropped after 1992 because of shift of convenience store and grocery store inspections to the Department of Agriculture and Consumer Services.

Licensing

Table 5: Public Lodging Units by Type of Establishment and by District—End of FY 2004-2005

ESTABLISHMENT TYPE	DISTRICT							Total
	1	2	3	4	5	6	7	
Hotels	41,945	32,103	22,611	76,001	15,911	6,857	13,762	209,190
Motels	15,345	15,964	28,808	63,800	21,365	22,560	14,992	182,834
Nontransient Apartments	180,833	200,637	206,307	217,252	125,913	55,666	62,686	1,049,294
Transient Apartments	1,152	4,988	2,522	2,539	382	1,018	2,020	14,621
Nontransient Rooming Houses	1,307	557	191	598	174	36	271	3,134
Transient Rooming Houses	851	555	890	694	357	399	185	3,931
Bed and Breakfasts	510	104	204	202	526	127	110	1,783
Resort Condominiums	5,706	5,401	8,338	25,556	3,190	14,797	15,048	78,036
Resort Dwellings	1,669	362	3,204	7,356	446	4,120	2,921	20,078
TOTAL	249,318	260,671	273,075	393,998	168,264	105,580	111,995	1,562,901

Figure 2: Average Number of Public Lodging Units per Account—End of FY 2004-2005



Inspections

Table 6: Public Lodging and Food Service Establishment Initial Inspections Performed—FY 2004-2005

PUBLIC FOOD SERVICE INSPECTIONS									
DISTRICT	TYPE OF INSPECTION								TOTAL
	LICENSING*	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL*	SERVICE REQUEST	EPIDEMIOLOGICAL ¹	OTHER ²	TEMPORARY ³	
1	1,241	11,997	69	2	25	0	2	72	13,408
2	1,396	18,005	164	24	10	4	0	30	19,633
3	1,444	14,954	790	95	37	2	2	51	17,375
4	1,500	17,636	763	185	68	1	0	293	20,446
5	911	8,981	430	28	0	0	3	72	10,425
6	467	5,241	290	37	2	5	1	135	6,178
7	849	9,436	263	30	92	0	1	3	10,674
TOTAL	7,808	86,250	2,769	401	234	12	9	656	98,139

PUBLIC LODGING INSPECTIONS							
DISTRICT	TYPE OF INSPECTION						TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	SERVICE REQUEST	OTHER ²	
1	818	1,484	60	6	28	0	2,396
2	502	2,968	40	31	4	0	3,545
3	1302	2,463	211	25	1	0	4,002
4	1853	1,798	291	75	14	0	4,031
5	226	512	83	7	0	1	829
6	243	260	88	13	0	0	604
7	198	471	63	3	12	0	747
TOTAL	5,142	9,956	836	160	59	1	16,154

TOTAL INSPECTIONS									
DISTRICT	TYPE OF INSPECTION								TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	SERVICE REQUEST	EPIDEMIOLOGICAL ¹	OTHER ²	TEMPORARY ³	
1	2,059	13,481	129	8	53	0	2	72	15,804
2	1,898	20,973	204	55	14	4	0	30	23,178
3	2,746	17,417	1,001	120	38	2	2	51	21,377
4	3,353	19,434	1,054	260	82	1	0	293	24,477
5	1,137	9,493	513	35	0	0	4	72	11,254
6	710	5,501	378	50	2	5	1	135	6,782
7	1,047	9,907	326	33	104	0	1	3	11,421
TOTAL	12,950	96,206	3,605	561	293	12	10	656	114,293

SOURCE: DBPR Single Licensing System 07.11.2005

¹ Epidemiological inspections are often recorded as routine. This does not reflect total number of foodborne illness investigations conducted by the division. For a complete accounting of foodborne illness complaints, see Table 10.

² "Other" inspections include discontinued categories, information calls, training and quality assurance inspections.

³ Recording of temporary events was assumed by Bureau of Central Intake and Licensing in November 2004. Beginning at that time, inspections were no longer entered. For a complete accounting of temporary events, see Table 4.

Inspections

Table 7: Public Lodging and Food Service Establishment Callback Inspections Performed—FY 2004-2005

PUBLIC FOOD SERVICE INSPECTIONS									
DISTRICT	TYPE OF INSPECTION								TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	SERVICE REQUEST	EPIDEMIOLOGICAL ¹	OTHER ²	TEMPORARY ³	
1	4	2,169	2	0	0	0	0	0	2,175
2	58	3,899	19	8	2	1	0	0	3,987
3	38	3,608	185	19	0	1	0	0	3,851
4	71	4,421	217	37	2	0	2	0	4,750
5	10	3,077	99	3	0	0	2	0	3,191
6	13	951	49	3	0	0	0	3	1,019
7	8	2,880	44	5	5	0	0	0	2,942
TOTAL	202	21,005	615	75	9	2	4	3	21,915

PUBLIC LODGING INSPECTIONS							
DISTRICT	TYPE OF INSPECTION						TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	SERVICE REQUEST	OTHER ²	
1	4	173	8	0	0	0	185
2	34	537	8	11	0	0	590
3	13	318	48	8	0	0	387
4	29	385	80	23	1	0	518
5	3	157	8	0	0	0	168
6	7	46	13	1	0	0	67
7	0	97	9	0	0	0	106
TOTAL	90	1,713	174	43	1	0	2,021

TOTAL INSPECTIONS									
DISTRICT	TYPE OF INSPECTION								TOTAL
	LICENSING	ROUTINE	COMPLAINT - FULL	COMPLAINT - PARTIAL	SERVICE REQUEST	EPIDEMIOLOGICAL	OTHER*	TEMPORARY	
1	8	2,342	10	0	0	0	0	0	2,360
2	92	4,436	27	19	2	1	0	0	4,577
3	51	3,926	233	27	0	1	0	0	4,238
4	100	4,806	297	60	3	0	2	0	5,268
5	13	3,234	107	3	0	0	2	0	3,359
6	20	997	62	4	0	0	0	3	1,086
7	8	2,977	53	5	5	0	0	0	3,048
TOTAL	292	22,718	789	118	10	2	4	3	23,936

SOURCE: DBPR Single Licensing System 07.11.2005

¹ Epidemiological inspections are often recorded as routine. This does not reflect total number of foodborne illness investigations conducted by the division. For a complete accounting of foodborne illness complaints, see Table 10.

² "Other" inspections include discontinued categories, information calls, training and quality assurance inspections.

³ Recording of temporary events was assumed by Bureau of Central Intake and Licensing in November 2004. Beginning at that time, inspections were no longer entered. For a complete accounting of temporary events, see Table 4.

Public Food Service Establishment

Violations

Table 8: Number and Type of Violations Found in Public Food Service Establishments—FY 2004-2005

Violation Codes	Critical	Non-Critical	Total	% of All Violations	Avg # per Insp
01 Food from approved source; wholesome, sound condition (indeterminate/scanned)	74		74	0.02%	0.001
01A Approved source	122		122	0.03%	0.001
01B Wholesome, sound condition	666		666	0.14%	0.007
02 Original container, properly labeled, date marking		9,542	9,542	2.06%	0.097
03 Food at proper temperature (indeterminate/scanned)	1,290		1,290	0.28%	0.013
03A Cold food at proper temperatures during storage, display, service, transport and cold holding	8,672		8,672	1.87%	0.088
03B Hot food at proper temperatures	2,147		2,147	0.46%	0.022
03C Foods properly cooked/reheated	183		183	0.04%	0.002
03D Foods properly cooled	596		596	0.13%	0.006
04 Facilities to maintain product temperature	3,481		3,481	0.75%	0.035
05 Thermometers provided and conspicuously placed	11,297		11,297	2.44%	0.115
06 Potentially hazardous food properly thawed	2,331		2,331	0.50%	0.024
07 Unwrapped or potentially hazardous food not reserved	25		25	0.01%	0.000
08 Food protection/cross-contamination (indeterminate/scanned)	2,251		2,251	0.49%	0.023
08A Food protection during storage, prep, display, service, transport	20,289		20,289	4.38%	0.207
08B Cross-contamination, equipment, personnel, storage	698		698	0.15%	0.007
08C Potential for cross-contamination; storage practices; damaged food segregated	210		210	0.05%	0.002
09 Foods handled with minimum contact	4,140		4,140	0.89%	0.042
10 In-use food dispensing utensils properly stored		11,217	11,217	2.42%	0.114
11 Persons with infections restricted	53		53	0.01%	0.001
12 Hand washing, hygiene, alternative operation plan (indeterminate/scanned)	1,045		1,045	0.23%	0.011
12A Hands washed and clean, good hygienic practices (observed), alternative operation plan	5,333		5,333	1.15%	0.054
12B Proper hygienic practices, eating/drinking/smoking (evidence)	4,261		4,261	0.92%	0.043
13 Clean clothes, hair restraints		3,752	3,752	0.81%	0.038
14 Food contact surfaces designed, constructed, maintained, installed, located		17,208	17,208	3.72%	0.175
15 Non-food contact surfaces designed, constructed, maintained, installed, located		10,302	10,302	2.23%	0.105
16 Dishwashing facilities designed, constructed, operated	2,753		2,753	0.59%	0.028
17 Thermometers, gauges, test kits provided	8,097		8,097	1.75%	0.083
18 Pre-flushed, scraped, soaked		956	956	0.21%	0.010
19 Wash, rinse water clean, proper temperature		281	281	0.06%	0.003

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Public Food Service Establishment

ViolationsTable 8: Number and Type of Violations Found in Public Food Service Establishments—FY 2004-2005
(continued)

Violation Codes	Critical	Non-Critical	Total	% of All Violations	Avg # per Insp
20 Sanitizing concentration or temperature (indeterminate/scanned)	692		692	0.15%	0.007
20A Sanitizing concentration	4,911		4,911	1.06%	0.050
20B Sanitizing temperature	628		628	0.14%	0.006
21 Wiping cloths clean, used properly, stored		12,304	12,304	2.66%	0.125
22 Food contact surfaces of equipment and utensils clean		30,352	30,352	6.56%	0.309
23 Non-food contact surfaces clean		19,773	19,773	4.27%	0.202
24 Storage/handling of clean equipment, utensils		7,181	7,181	1.55%	0.073
25 Single service items properly stored, handled, dispensed		7,712	7,712	1.67%	0.079
26 Single service articles not re-used		483	483	0.10%	0.005
27 Water source safe, hot and cold under pressure	2,576		2,576	0.56%	0.026
28 Sewage and waste water disposed properly	1,243		1,243	0.27%	0.013
29 Plumbing installed and maintained		9,571	9,571	2.07%	0.098
30 Cross-connection, back siphonage, backflow	3,623		3,623	0.78%	0.037
31 Toilet and handwashing facilities, number, convenient, designed, installed	8,786		8,786	1.90%	0.090
32 Restroom with self-closing doors, fixtures operate properly, facility clean, supplied with handsoap, disposable towels or hand drying devices, tissue, covered waste receptacles.		31,358	31,358	6.77%	0.320
33 Containers covered, adequate number, insect and rodent proof, emptied at proper intervals, clean		7,912	7,912	1.71%	0.081
34 Outside storage area clean, enclosure properly constructed		3,313	3,313	0.72%	0.034
35 Vermin-insect/rodent presence or protection. Animals prohibited. (indeterminate/scanned)	863		863	0.19%	0.009
35A Presence of insects/rodents. Animals prohibited.	4,068		4,068	0.88%	0.041
35B Outer openings protected from insects; rodent proof	3,841		3,841	0.83%	0.039
36 Floors properly constructed, clean, drained, coved		15,182	15,182	3.28%	0.155
37 Walls, ceilings, and attached equipment, constructed, clean		21,124	21,124	4.56%	0.215
38 Lighting provided as required. Fixtures shielded		11,128	11,128	2.40%	0.113
39 Rooms and equipment - vented as required		502	502	0.11%	0.005
40 Employee lockers provided and used clean		1,338	1,338	0.29%	0.014
41 Toxic items properly stored, labeled and used properly (indeterminate/scanned)	960		960	0.21%	0.010
41A Toxic items properly stored	3,721		3,721	0.80%	0.038
41B Toxic items labeled and used properly	4,243		4,243	0.92%	0.043
42 Premises maintained, free of litter, unnecessary articles. Cleaning and maintenance equipment properly stored. Kitchen restricted to authorized personnel		8,233	8,233	1.78%	0.084

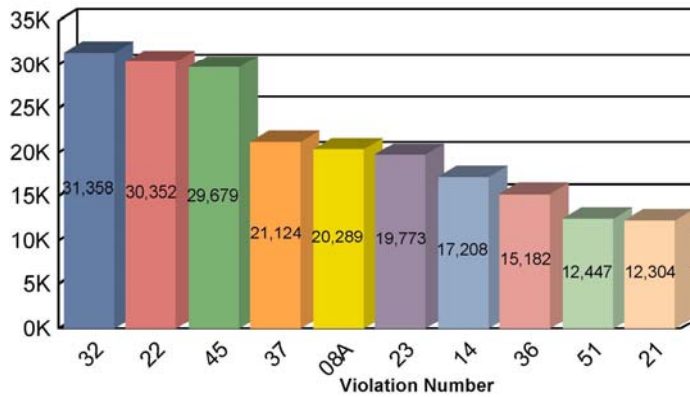
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Violations

Table 8: Number and Type of Violations Found in Public Food Service Establishments—FY 2004-2005
(continued)

Violation Codes	Critical	Non-Critical	Total	% of All Violations	Avg # per Insp
43 Complete separation from living/sleeping area, laundry		53	53	0.01%	0.001
44 Clean and soiled linen segregated and properly stored		381	381	0.08%	0.004
45 Fire extinguishers - proper and sufficient	29,679		29,679	6.41%	0.302
46 Exiting System - adequate, good repair	11,075		11,075	2.39%	0.113
47 Electrical wiring = adequate, good repair	9,948		9,948	2.15%	0.101
48 Gas appliances - properly installed, maintained	942		942	0.20%	0.010
49 Flammable/combustible materials - properly stored	1,074		1,074	0.23%	0.011
50 Current license properly displayed	6,459		6,459	1.40%	0.066
51 Other conditions sanitary and safe operation		12,447	12,447	2.69%	0.127
52 False/Misleading statements published or advertised relating to food/beverage		47	47	0.01%	0.000
53 Food management certification valid/Employee Training (indeterminate/scanned)	1,744		1,744	0.38%	0.018
53A Food management certification valid	9,473		9,473	2.05%	0.097
53B Employee Training	12,199		12,199	2.64%	0.124
54 Florida Clean Indoor Air Act		165	165	0.04%	0.002
55 Automatic Gratuity Notice		6	6	0.00%	0.000
56 Copy of Chapter 509, Florida Statutes, available		2,687	2,687	0.58%	0.027
57 HEP Information Provided (not a violation, not counted in total)		163	163	0.04%	0.002
58 Smoke Free (not a violation, not counted in total)		171	171	0.04%	0.002
Indeterminate (not counted in total)		3,255	3,255	0.70%	0.033
Grand Totals:	202,762	256,510	459,272		4.680
Average per Inspection:		2.066	2.614	4.680	

Top 10 Violations



Public Lodging Establishment

Violations

Table 9: Number and Type of Violations Found in Public Lodging Establishments—FY 2004-2005

Violation Codes	Critical	Non-Critical	Total	% of All Violations	Avg # per Insp
01 Safety: Fire Extinguishers, Standpipe System	2,680		2,680	10.80%	0.166
02 Safety: Fire Hazards	714		714	2.88%	0.044
03 Safety: Sprinkler System	395		395	1.59%	0.024
04 Safety: Smoke Detectors, Alarm Systems	1,650		1,650	6.65%	0.102
05 Safety: Smoke Detectors, Hearing Impaired	455		455	1.83%	0.028
06 Safety: Exits, Obstructions	1,447		1,447	5.83%	0.090
07 Safety: Electrical Deficiencies	720		720	2.90%	0.045
08 Safety: Boiler, Boiler Room	148		148	0.60%	0.009
09 Safety: Lighting; Public, Emergency, Guest Room	226		226	0.91%	0.014
10 Safety: Adequate Heating	18		18	0.07%	0.001
11 Safety: Appliances properly installed and maintained	131		131	0.53%	0.008
12 Safety: Balcony, railing safety, certification	1,157		1,157	4.66%	0.072
13 Safety: Building Repair		2,010	2,010	8.10%	0.124
14 Safety: Proper Locking Devices	196		196	0.79%	0.012
15 Sanitation: Bathrooms -- Public, Guest, Supplies		435	435	1.75%	0.027
16 Water source safe; hot/cold provided	62		62	0.25%	0.004
17 Bedding: bed linens, towels		471	471	1.90%	0.029
18 Sanitation: Household Furnishings		431	431	1.74%	0.027
19 Sanitation: Plumbing		1,167	1,167	4.70%	0.072
20 Sanitation: Ventilation		221	221	0.89%	0.014
21 Sanitation: Toxics - Storage, Use	177		177	0.71%	0.011
22 Sanitation: Ice protection	174		174	0.70%	0.011
23 Sanitation: Glassware, Tableware, Utensils sanitized	234		234	0.94%	0.014
24 Sanitation: Vermin Control	425		425	1.71%	0.026
25 Sanitation: Premises Maintained		1,718	1,718	6.92%	0.106
26 Sanitation: Garbage and Refuse Disposal		1,527	1,527	6.15%	0.095
27 Sanitation: Sewage and Waste Water Disposal	104		104	0.42%	0.006
28 Consumer Protection: Advertisement	32		32	0.13%	0.002
29 Consumer Protection: Guest property - liability, notified		22	22	0.09%	0.001
30 Consumer Protection: Room Rate Schedule		768	768	3.09%	0.048
31 Consumer Protection: Room rates posted		743	743	2.99%	0.046
32 Consumer Protection: Security Deposit		18	18	0.07%	0.001
33 Consumer Protection: Unethical Business Practices; Overbooking	7		7	0.03%	0.000
34 Consumer Protection: Licensee; Criminal Conduct		8	8	0.03%	0.000

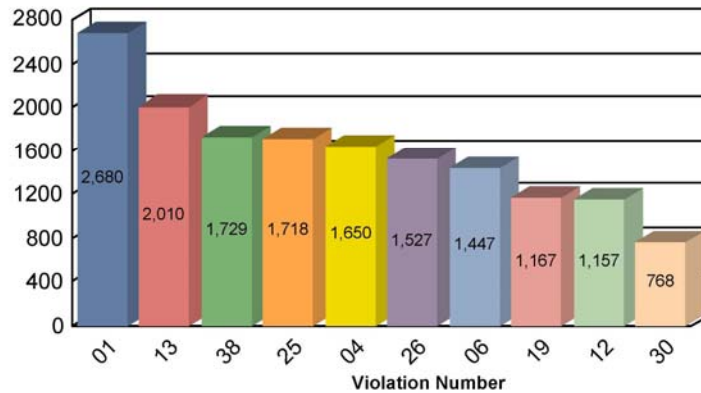
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Violations

Table 9: Number and Type of Violations Found in Public Lodging Establishments—FY 2004-2005
(continued)

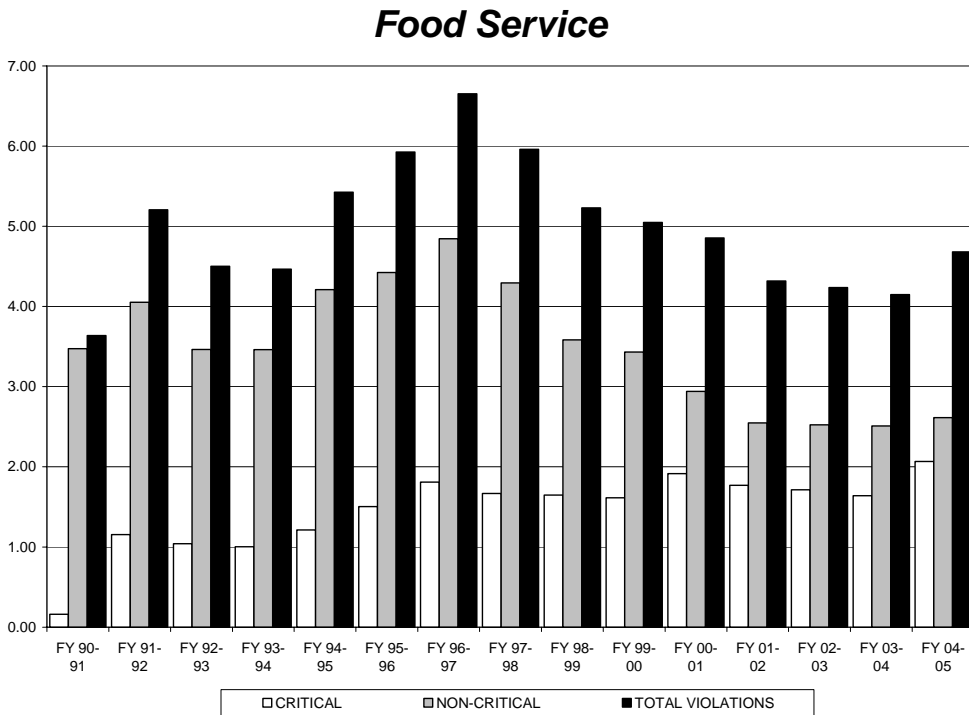
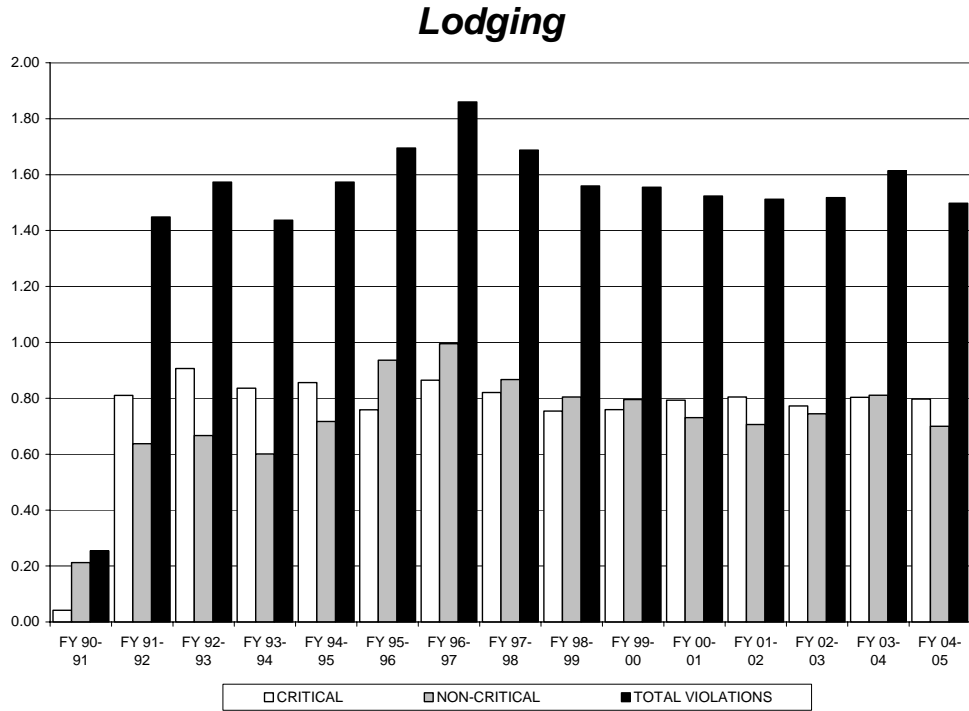
Violation Codes	Critical	Non-Critical	Total	% of All Violations	Avg # per Insp
35 Consumer Protection: Florida Clean Air Act		14	14	0.06%	0.001
36 Consumer Protection: Telephone Surcharge Posted		589	589	2.37%	0.036
37 Consumer Protection: Guest register		52	52	0.21%	0.003
38 General: Current License Displayed, Available Upon Request	1,729		1,729	6.97%	0.107
39 General: Housekeeping		544	544	2.19%	0.034
40 General: Other Conditions, Safe, Sanitary		205	205	0.83%	0.013
41 General: Posting Operator Service Agreement		36	36	0.15%	0.002
42 General: Blocking Operator Access		9	9	0.04%	0.001
43 General: Copy of Chapter 509 available		321	321	1.29%	0.020
44 HEP Information Provided (not a violation, not counted in total)		22	22	0.09%	0.001
Indeterminate (not counted in total)		603	603	2.43%	0.037
Grand Totals:	12,881	11,309	24,190		1.498
Average per Inspection:		0.798	0.700	1.498	

Top 10 Violations



Violations

Figure 3: Historical Comparison of Average Number of Violations to Inspections



Foodborne Illness Complaints

Table 10: Foodborne Illness Complaint Activity—FY 2004-2005

Disposition	DISTRICT							TOTAL
	1	2	3	4	5	6	7	
Case Closure	0	0	0	1	0	0	0	1
Complied with Warning	0	1	1	0	0	0	0	2
Insp Performed- Allegation Not Observed	0	108	131	117	0	6	41	403
Insp Performed-Allegation Confirmed	0	6	8	26	0	0	0	40
No Further Action Required	0	15	30	0	0	29	0	74
No Jurisdiction	0	1	0	0	0	0	0	1
Out of Business	0	0	1	0	0	0	0	1
Referred to Department of Ag.	0	1	0	0	0	0	0	1
Referred to Dept of Health	0	1	0	2	0	0	0	3
Unproven	1	52	41	0	0	0	0	94
Warning Issued	0	3	1	0	0	0	0	4
Indeterminate*	44	77	99	209	292	85	7	813
TOTAL FBI COMPLAINTS	45	265	312	355	292	120	48	1,437

SOURCE: Single Licensing System 08.24.2005

*NOTE: The division began standardizing data entry of foodborne illness complaints during this fiscal year. It was not possible by analyzing the data electronically to determine the disposition of all complaints.

Consumer Complaints

Table 11: Consumer Complaint Activity—FY 2004-2005

Disposition	DISTRICT							TOTAL
	1	2	3	4	5	6	7	
PUBLIC FOOD SERVICE ESTABLISHMENTS								
Administrative Complaint - Recommended	0	2	0	0	0	1	0	3
Administrative Determination - Complied	0	3	0	0	0	0	0	3
Change of Ownership	0	0	1	0	0	0	0	1
Complied with Warning	0	7	17	0	0	0	0	24
Dismissed	0	20	0	0	0	1	0	21
Emergency Order	0	0	1	0	0	0	0	1
Handle by Phone	0	3	0	0	0	12	0	15
Insp Performed- Allegation Not Observed	0	178	193	296	1	28	93	789
Insp Performed-Allegation Confirmed	0	70	83	146	1	8	29	337
Monitoring Completed	0	0	1	0	0	0	0	1
No Further Action Required	0	18	31	0	0	34	0	83
No Jurisdiction	0	2	4	0	0	2	0	8
Out of Business	0	1	1	0	0	0	0	2
Referred To Another Agency	0	1	1	0	0	1	0	3
Referred to Dept of Health	0	0	0	1	0	0	0	1
Unproven	0	9	99	0	0	0	0	108
Warning Issued	0	4	7	0	0	0	0	11
Indeterminate*	94	137	189	371	744	257	24	1,816
SUBTOTAL	94	455	628	814	746	344	146	3,227
PUBLIC LODGING ESTABLISHMENTS								
Administrative Complaint - Recommended	0	1	0	0	0	0	0	1
Affirmed	0	0	2	0	0	0	0	2
Change of Ownership	0	0	1	0	0	0	0	1
Complied with Warning	0	2	12	0	0	0	0	14
Dismissed	0	12	0	0	0	0	0	12
Handle by Phone	0	1	0	1	0	17	0	19
Insp Performed- Allegation Not Observed	0	45	45	146	0	4	17	257
Insp Performed-Allegation Confirmed	0	32	36	98	0	3	7	176
Mult. Comp. Consolidated	0	0	0	3	0	0	0	3
No Further Action Required	0	12	17	0	0	12	0	41
No Jurisdiction	0	3	0	1	0	1	0	5
Referred To Another Agency	0	0	0	1	0	0	0	1
Unproven	0	3	59	0	0	0	0	62
Warning Issued	0	2	3	0	0	1	0	6
Indeterminate*	109	57	76	238	198	101	7	786
SUBTOTAL	109	170	251	488	198	139	31	1,386
TOTAL CONSUMER COMPLAINTS	203	625	879	1,302	944	483	177	4,613

SOURCE: Single Licensing System 08.24.2005

*NOTE: The division began standardizing data entry of consumer complaints during this fiscal year. It was not possible by analyzing the data electronically to determine the disposition of all complaints.

Compliance

Table 12: Public Food and Lodging Compliance Activity—FY 2004-2005

	July 2004	Aug. 2004	Sept. 2004	Oct. 2004	Nov. 2004	Dec. 2004	Jan. 2005	Feb. 2005	March 2005	April 2005	May 2005	June 2005	Total
Compliance Activity													
Total Administrative Complaints Issued	173	193	212	162	140	223	247	270	302	245	258	286	2,715
Settlement Conferences	211	221	144	214	210	156	226	226	295	283	221	197	2,589
Administrative Complaint Settlement Rate	88%	84%	80%	82%	80%	80%	84%	80%	85%	71% ¹	87%	87%	81%
Stipulated Fines	\$104,330	\$97,500	\$65,900	\$84,650	\$99,200	\$77,750	\$119,900	\$113,600	\$170,850	\$115,650	\$117,900	\$128,250	\$1,291,750
Hearing Requests to General Counsel	17	11	8	23	12	10	10	18	26	22	11	19	182
Agency Action to General Counsel	27	32	21	19	27	25	20	20	27	59	20	3	289
Orders Clerked	115	222	89	112	165	178	64	197	200	241	239	238	2,165
Total Fines Collected	\$83,398	\$99,282	\$115,894	\$91,074	\$49,045	\$95,563	\$74,001	\$86,296	\$147,906	\$127,486	\$193,666	\$137,156	\$1,300,768
Unlicensed Activity													
New Licenses Issued	0	1	0	1	2	5	0	1	0	0	5	5	20
New Rental Units Licensed	0	1	0	3	384	365	0	99	0	0	265	5	1,122
License Revenue	\$0	\$310	\$0	\$240	\$550	\$1,805	\$0	\$205	\$0	\$0	\$1,150	\$1,100	\$5,360
Information Calls	4	6	4	1	6	8	4	6	16	8	14	8	85
Speaking/ Training/ Meeting	6	4	0	4	7	7	6	3	4	3	6	3	53

Each month stands independently with data compiled at the end of that month.

¹33 cases not subject to settlement

Compliance

Table 13: Elevator Compliance Activity—FY 2004-2005

	July 2004	Aug. 2004	Sept. 2004	Oct. 2004	Nov. 2004	Dec. 2004	Jan. 2005	Feb. 2005	March 2005	April 2005	May 2005	June 2005	Total
Compliance Activity													
Total Administrative Complaints Issued	14	9	11	2	0	5	0	4	22	71	57	37	231
Settlement Conferences	3	12	7	5	7	0	5	1	3	31	51	53	178
Administrative Complaint Settlement Rate	100%	100%	43%	100%	86%	-	80%	100%	33%	81%	57% ^{^^}	64%	70%
Stipulated Fines	\$1,250	\$5,250	\$1,000	\$1,000	\$2,500	\$0	\$1,000	\$250	\$250	\$7,750	\$10,750	\$13,000	\$44,000
Cases Referred to General Counsel	0	0	4	0	1	0	1	0	2	2	21 ^{^^}	21	53
Orders Clerked	1	10	4	1	6	0	3	3	0	7	24	40	107
Total Fines Collected	\$0	\$1,250	\$3,000	\$1,750	\$1,750	\$1,500	\$1,750	\$250	\$1,000	\$500	\$5,750	\$11,500	\$30,000

^{^^}One owner requested hearings for 16 cases

Financial Information

Table 14: HEP Statement of Revenues and Expenditures—FY 2004-2005

REVENUES	
Total Revenues from \$10 HEP Fee	\$826,749.30
Non-licensee Participation Fee	\$3,862.00
Compliance Fees	\$205,550.00
Miscellaneous Fees	\$115.00
TOTAL REVENUES	\$1,036,276.30
EXPENDITURES & ENCUMBRANCES	
Salaries and Benefits	\$428,422.96
Temporary Employment	\$4,009.85
Stipends for Graduate Assistants	\$5,833.75
Employer's Matching FICA	\$753.03
Other Services	\$169.70
State Personnel Assessment	\$3,098.69
SUBTOTAL	\$442,287.98
Expenses	
Operating Expenditures	
Telephone/Communications	\$11,724.83
Cellular Phones	\$3,474.99
Printing, Copying & Mailing	\$77.33
Repair & Maintenance	\$3,386.21
Travel & Seminars	\$17,181.03
Gasoline and Lubricants	\$8,701.92
Office Supplies	\$7,254.10
<i>Rentals</i>	
Conference Rooms	\$7,422.50
Other Rentals	\$2,496.00
Subscriptions and Dues	\$4,873.93
Other Expenses	\$8,910.32
OCO	
Furniture & Equipment	\$9,496.37
Other	
Training Programs Grants	\$149,999.00
Insurance	\$20,277.80
Service Operations	\$23,685.90
Other Indirect Operating Charges	\$698.09
Nonoperating Expenditures	
Administrative TF	\$6,550.35
Benefit Share	\$12,856.00
Information Technology	\$2,544.41
Service Charge to General Revenue	\$72,540.04
SUBTOTAL	\$374,151.12
TOTAL EXPENDITURES	\$816,439.10

HEP Activities

Table 15: Summary of HEP Activities—FY 2004-2005

Seminar Activity	July 2004	Aug. 2004	Sept. 2004	Oct. 2004	Nov. 2004	Dec. 2004	Jan. 2005	Feb. 2005	March 2005	April 2005	May 2005	June 2005	Total
Food/Other* Seminars Conducted	54	43	65	44	46	35	39	40	32	10	6	6	420
Lodging Seminars Conducted	10	16	14	13	15	10	8	13	4	6	10	4	123
Administrative Complaint Seminars	2	14	11	11	16	2	10	15	47	0	0	0	128
HACCP Seminars	0	1	0	5	8	3	10	3	1	1	1	4	37
Personal Hygiene Seminars	10	10	6	8	8	3	10	9	1	56	68	67	256
Pest Control Seminars	6	10	5	9	5	2	15	1	0	12	10	20	95
Fire Safety Seminar										9	4	4	17
Total Seminars Conducted	82	94	87	90	98	55	92	81	85	94	99	105	1,062
Number of Candidates													
Food/Other – Number Registered	437	519	527	549	483	402	466	494	341	91	100	86	4,495
Food/Other – Number Attended	398	420	192	457	360	333	475	503	325	89	100	86	3,738
Lodging – Number Registered	7	18	10	16	13	9	14	50	5	20	22	38	222
Lodging – Number Attended	10	13	4	15	19	9	14	43	5	20	22	38	212
AC - Number Registered	12	55	92	67	128	55	67	136	368	0	0	0	980
AC - Number Attended	12	55	84	53	111	47	51	137	381	0	0	0	931
HACCP - Number Registered	0	6	0	112	152	62	132	51	10	3	0	58	586
HACCP - Number Attended	0	6	0	107	128	57	110	51	23	3	0	58	543
Personal Hygiene - Number Registered	260	233	107	94	207	40	149	273	15	486	553	378	2,795
Personal Hygiene - Number Attended	159	238	103	77	140	22	144	291	15	482	548	378	2,597
Pest Control - Number Registered	93	27	36	85	34	5	55	6	0	45	44	41	471
Pest Control – Number Attended	57	17	33	86	29	11	57	6	0	45	44	41	426
Total Registered	809	867	772	923	1,017	573	883	1,010	739	645	719	601	9,558
Total Attended	636	749	416	795	787	479	851	1,031	749	639	714	601	8,447

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HEP Activities

Table 15: Summary of HEP Activities—FY 2004-2005 (continued)

Educational Materials	July 2004	Aug. 2004	Sept. 2004	Oct. 2004	Nov. 2004	Dec. 2004	Jan. 2005	Feb. 2005	March 2005	April 2005	May 2005	June 2005	Total
Total Number of Requests (e-mail/phone)	75	70	45	49	79	69	101	62	52	49	61	56	768
Items Dispersed by Mail	1,998	1,906	613	719	1,173	700	1,347	862	607	555	665	973	12,118
Workbooks Dispersed to Candidates (in class)	636	724	416	830	787	479	851	1,031	749	677	714	601	8,495
Total Number of Items Dispersed	2,634	2,630	1,029	1,549	1,960	1,179	2,198	1,893	1,408	1,232	1,379	1,574	20,613
Web Hits	18,878	21,270	21,411	19,765	17,259	15,386	10,870	7,968	8,915	9,051	10,476	9,796	171,045
Other Seminar Activity													
Open Seminars	53	64	61	59	55	40	34	45	32	0	0	0	443
Closed Seminars	29	30	26	31	43	15	58	36	53	94	99	105	619

Figure 4: Historical Comparison of Number of HEP Seminars Conducted

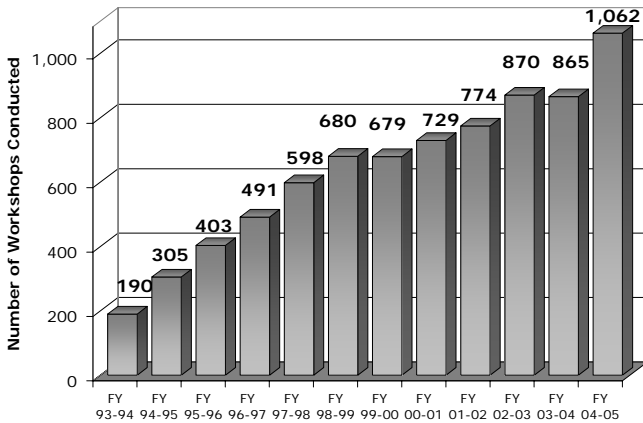


Figure 5: Historical Comparison of Number of HEP Workshop Attendees

