

ESCAMBIA COUNTY BUILDING SERVICES DEPARTMENT INVESTIGATIONS DIVISION



CASE DOCUMENTATION

Case Number: UN170300017

Location of Complaint 1020 PALAFOX

Contractor Name: ERIC HESEMAND DBA HESEMAN BUILDERS GROUP INC

Licensing Information: RC3016

03/21/2017

JACQUE LEBEAU / 1020 N PALAFOX STREET, PENSACOLA, FL 32501 / 850-287-0194 / lebeauj@hotmail.com

ERIC HESEMAN DBA HESEMAN BUILDERS GROUP INC / 1213 E CERVANTES ST, PENSACOLA, FL 32501 / 850-572-0713 / eheseman@hotmail.com / hesemanbuildersgroup@outlook.com

DOUG WHITFIELD / 850-432-2573

03/22/2017 A COMPLAINT FILED WITH DBPR BY DR LEBEAU AGAINST ERIC HESSMAN WAS FORWARDED TO ESCAMBIA COUNTY FOR ACTION. IT WAS DETERMINED THE COMP BOARD TEAM, INCLUDING COUNTY ATTORNEY, BOARD SECRETARY AND INVESTIGATOR, WOULD DISCUSS IF THIS CASE MEETS CRITERIA FOR REVIEW BY THE ESCAMBIA COUNTY CCB. THE DOCUMENTATION PROVIDED WAS ON HESEMAN COMPANY LETTERHEAD AND ALL PAYMENTS WERE MADE TO HESEMAN'S LICENSED COMPANY..

INFO:

MICHELE L HESEMAN IS LISTED AS A BUSINESS PARTNER SINCE 06/16/2014 WITH ERIC R HESEMAN DBA HESEMAN BUILDERS GROUP INC, AS RECORDED IN THE FLORIDA DIVISION OF CORPORATIONS. ALL CONTACT WITH DR LEBEAU WAS WRITTEN ON PAPERWORK BEARING THE COMPANY NAME/DATA OF HESEMAN BUILDERS GROUP INC. PER THE COUNTY ATTORNEY, A REVIEW OF APPLICABLE VIOLATIONS OF CONTRACTOR LAW WILL BE LOOKED AT.

LEBEAU STATEMENT:

DR LEBEAU IS PLANNING A NEW, CUSTOM BUILT HOME. MICHELE HESEMAN, WIFE AND BUSINESS PARTNER OF LICENSED CONTRACTOR ERIC HESEMAN DBA HESEMAN BUILDERS GROUP INC, WAS ORIGINALLY IN CONTACT WITH DR LEBEAU AS A PATIENT. MS HESEMAN NOTED SHE COULD DO THE DESIGN DRAWINGS, DISCOUNTING THE PRICE IF HE HIRED HER HUSBAND AS CONTRACTOR. AN AGREEMENT WAS MADE BETWEEN THE PARTIES FOR A FEE OF \$40,000. THE FIRST PAYMENT FOR DRAWINGS WAS MADE FOR \$12,000 ON 09/12/2016 CHECK #120, REFLECTED ON COMPANY INVOICE #16-1092 DATED 09/16/2016. A SECOND PAYMENT FOR \$12,000 WAS MADE ON 12/12/2016 CHECK #139. WHAT WAS PRODUCED FOR THIS MONEY WERE 4: BASIC ELEVATIONS, 4: 3-D'S MADE FROM THOSE AND A SIMPLIFIED FLOOR PLAN. THE PROPERTY IS RURAL AND ENVIRONMENTALLY SENSITIVE. PER DR LEBEAU, NO SITE PLAN WAS PRODUCED, NOR ANY MITIGATING FACTORS RESEARCHED IN ADVANCE OF THE DESIGN PRODUCED. EVENTUALLY, MR LEBEAU DETERMINED THIS PRESENTED A PROBLEMATIC SITUATION WITH THE HESEMANS, AND MOVED TO CANCEL THE CONTRACT. MR LEBEAU REPORTS THAT INITIALLY MICHELE HESEMAN AGREED TO RETURN ½ THE MONEY, BUT ERIC HESEMAN REFUSED IN AN EMAIL ATTACHED TO THIS REPORT. IN WORKING WITH ANOTHER DESIGNER, DR LEBEAU HAS LEARNED THAT THIS PARCEL IS SEVERELY RESTRICTED, REQUIRES SOIL LOGS, ELEVATION CERTIFICATE, WETLAND SETBACKS, DEP AND CORP OF ENGINEER APPROVAL, SEPTIC DESIGN AND PLACEMENT, AND BREAKAWAY OR LIMITED WALL PLACEMENT. THE CURRENT DESIGNER HAS, TO DATE, HELD 3 MEETINGS WITH THE COUNTY ON HOUSE PLACEMENT AND RESTRICTIONS. THE PREVIOUS PROPERTY OWNERS PROVIDED A WETLAND SURVEY WITH THE SALE, WHICH THE HESEMANS NEVER ASKED ABOUT OR REVIEWED.

ON 03/20/2017 DR LEBEAU FILED A FORMAL COMPLAINT AGAINST HESEMAN BUILDERS GROUP, CITING MISCONDUCT. HE PROVIDED A COPY OF THE DRAWINGS, A PAID INVOICE FOR \$24,000, COPIES OF BOTH SIDES OF 2:CHECKS, SEVERAL EMAILS, AND A NOTICE OF COMPLAINT FILED WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES DATED 02/17/2017. A COPY OF BBB COMPLAINT WAS RECEIVED AT THIS OFFICE ON 04/06/2017.

HESEMAN STATEMENT:

MR HESEMAN SAYS DR LEBEAU WALKED AWAY ONLY BECAUSE HE RECEIVED A BETTER PRICE ELSEWHERE. HE SAYS HIS WIFE HANDLED THE PROJECT, AND RECEIVED A TELEPHONE OK FROM THE COUNTY IN REGARDS TO MITIGATION FACTORS WITHOUT PROVIDING A SITE PLAN TO AID IN THE DISCUSSION. HE HAS NO COUNTY DOCUMENTATION ON THIS BUT SAYS THAT THE PROPERTY IS LARGE ACREAGE WITH A WETLAND SURVEY PROVIDED. HE SAYS HE HAS SPENT \$6,000 AND HAS 200 HOURS INTO THE PROJECT TO DATE. MR HESEMAN SAYS THE DESIGN COST FOR THIS PROJECT PRICE WAS HIGHER THAN HIS USUAL, BUT THE HOME IS PROJECTED TO BE EXPENSIVE ALSO. MR HESEMAN PROVIDED A DBPR ARCHITECTURAL BOARD DOCUMENT STATING THAT DESIGN FOR A 1-2 FAMILY RESIDENCE DOES NOT REQUIRE A LICENSE. IN THIS CASE ALL TRANSACTIONS WERE MADE ON COMPANY LETTERHEAD, AND PAYMENTS MADE TO THE CONSTRUCTION COMPANY. MR HESEMAN ALSO PROVIDED A COPY OF HIS RESPONSE TO THE BBB COMPLAINT AND A COPY OF THE PAID INVOICE FOR \$24,000.

WHITFIELD STATEMENT:

MR WHITFIELD IS AN EXPERIENCED LOCAL BUILDING DESIGNER. IN 2006 HE DESIGNED A HOME FOR THIS SAME PARCEL, FOR A DOCTOR WHO SUBSEQUENTLY RESOLD IT, STILL AS A VACANT PARCEL. MR WHITFIELD RETAINED THE SITE PLAN SHOWING THE WETLAND DELINEATION AND OTHER ISSUES PERTAINING TO CONSTRICTED PARCELS OF THIS NATURE. BEFORE PROCEEDING ON THE HOME DESIGN, HE REAFFIRMED THROUGH ENVIRONMENTAL EXPERTS, WETLAND SCIENCES, WHICH CONDITIONS WERE STILL RELEVANT OR HAD BEEN CHANGED TO NEWER CODE REQUIREMENTS. HE HAS HAD SEVERAL LONG MEETING WITH THE COUNTY, DEP, AND CORP OF ENGINEERS IN REGARDS TO A BRIDGE AND RETAINAGE IN THIS VE ZONED PARCEL. HE SAID THAT THIS WAS NOT A CASE OF BEING ABLE TO JUST PUT THE HOUSE IN LOCATION EVEN THOUGH IT IS A LARGE PARCEL.

MR WHITFIELD HAS SERVED 3-4 CLIENTS WHO BEGAN THEIR DESIGN PROCESS WITH HESEMAN BUILDERS GROUP BEFORE COMING TO HIM AT A MID-POINT. HIS CONCERNS ARE OVER ETHICS IN CONNECTION TO CONSTRUCTION BIDS THAT COME IN MUCH LOWER (1/3) THAN THE COMPETITION, THAT LATER HAVE CHANGE ORDERS EQUALING HT EPRICING OF THE COMPETITORS BIDS. HE HAS KNOWN MR HESEMAN BEFORE HE WAS IN THE CONSTRUCTION BUSINESS, AND QUESTIONED THE EXPERIENCE ASPECT USED TO OBTAIN HIS LICENSE.

INVESTIGATOR STATEMENT:

IT WAS THE COMPLAINANTS UNDERSTANDING THAT THESE DRAWINGS WERE NEARLY BUILD-READY WHEN ASKED FOR SECOND STAGE FUNDS. A REVIEW OF THE PROVIDED DRAWING SHOW THEM TO BE RUDIMENTARY FLOOR PLANS AND ELEVATIONS LACKING SITE PLAN, FRAMING PLANS, CROSS SECTIONS, OR ENGINEERING. MR HESEMAN STATED THAT THE LAND USE WAS NEGLIGIBLE ON SUCH A BIG PARCEL , SO PROCEEDED WITH DRAWINGS BASED ON AN UNDOCUMENTED, VERBAL CONVERSATION BETWEEN HIS WIFE AND THE COUNTY WITHOUT CREATING OR PRESENTING A SITE PLAN FOR ACTUAL REVIEW.

Case Status: _____

Date: _____

Officer Signature: _____

DEBRA ASPLUND #987