

#05/3069

P#2693 19CF11253 MB

Rough Arrest Only

ADMINISTRATION	OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report				1. Arrest ☐ 3. Request for Warrant ☐ 1 ☐ Juvenile ☐ N		
	Agency ORI Number FL0500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06-19-126845		
	Charge Type: Check as many as apply. ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized/Type 1. Yes ☒ 2. No		Multiple Clearance Indicator				
	Location of Arrest (Including Name of Business) TURPIKE / JOLAD WEST PALM BEACH FL 33411				Location of Offense (Business Name, Address) 10660 Forest Hill Blvd, Wellington, FL 33414				
DEFENDANT	Date of Arrest 12/4/15	Time of Arrest 1555	Booking Date 12/4/15	Booking Time	Jail Date 12/4/15	Jail Time	Location of Vehicle PRIORITY Towing		
	Name (Last, First, Middle) Powers, Terrance				Alias (Name, DOB, Soc. Sec. #, Etc.)				
	Race W - White B - Black O - Oriental/Asian W	Sex M	Date of Birth 03/03/1964	Height 6'	Weight 200	Eye Color Brown	Hair Color Brown	Complexion Med	Build Med
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status UK	Religion UK	Indication of: Alcohol Influence ☐ ☐ ☐ Drug Influence ☐ ☐ ☐		
CO-DEF	Local Address (Street, Apt. Number) 10805 Oak Bend Way		(City) Wellington	(State) FL	(Zip) 33414	Phone (561) 329-7702		Residence Type 1. City 3. Florida 2. County 4. Out of State 1	
	Permanent Address (Street, Apt. Number) Same as Local		(City)	(State)	(Zip)	Phone ()		Address Source	
	Business Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone ()		Occupation Painter	
	D/L Number, State P620-804-64-083-0, Florida		Soc. Sec. Number	INS Number		Place of Birth CHICAGO, Illinois		Citizenship US	
JUVENILE	Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor			
	Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor			
	☐ Parent Name (Last, First, Middle) ☐ Legal Custodian ☐ Other		Address (Street, Apt. Number) 1-3,000 2-3,000		(City) (State) (Zip)	Residence Phone Business Phone			
	Notified by: (Name)		Date	Time	Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated				
CHARGE	Released To: (Name)		Relationship		FCIC/NCIC	Date	Time		
	The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office informed of any change of address: ☐ Yes, by: (Name) ☐ No: (Reason)						School Attended	Grade	
	Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other								
	Drug Activity S. Sell R. Smuggle K. Dispense/ Distribute M. Manufacture Produce/ Cultivate Z. Other N. N/A B. Buy D. Deliver A. Amphetamine E. Heroin P. Possess T. Traffic E. Use								
CHARGE	Charge Description Grand Theft		Counts 1	Domestic Violence ☐ Yes ☒ No	Statute Violation Number 812.014(2)(C)(1)		Violation of ORD #		
	Drug Activity N	Drug Type N	Amount/Unit \$1,700.00	Offense # 19-126845	Warrant/Capias Number		Bond		
	Charge Description Contracting without Certification		Counts 1	Domestic Violence ☐ Yes ☒ No	Statute Violation Number 489.127(1)(F)		Violation of ORD #		
	Drug Activity N	Drug Type N	Amount/Unit	Offense # 19-126845	Warrant/Capias Number		Bond		
CHARGE	Charge Description		Counts	Domestic Violence ☐ Yes ☒ No	Statute Violation Number		Violation of ORD #		
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond		
	Charge Description		Counts	Domestic Violence ☐ Yes ☒ No	Statute Violation Number		Violation of ORD #		
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond		
NOTICE TO APPEAR	☐ Instruction No. 1 Mandatory Appearance in Court ☐ Instruction No. 2 You need not appear in Court but must comply with instructions on reverse side.		Location (Court, Room Number, Address) Court Date and Time Month Day Year Time A.M. P.M.						
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.								
	Signature of Defendant (or Juvenile and Parent/Custodian)						Date Signed		
	HOLD for other Agency Name:		Signature of Arresting Officer X [Signature]		Name Verification (Printed by Arrestee) (PRINT)				
ADMIN	☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:		Name of Arresting Officer (Print) Detective Suzanne Read		I.D. # 7446		PAGE		
	Intake Deputy D/S B. SHATARA #7623		Transporting Officer 16 04240 8052		Agency PBSO		Witness here is subject signed with an "X".		
	I.D. #		Pouch #		Agency		1 of 1		

DISTRIBUTION: 1st WHITE - COURT 2nd WHITE - RECORDS GREEN - STATE ATTY. YELLOW - CID PINK - JAIL (Rough Arrest) GOLD - DEFENDANT (Med.) or BLOTTER (Felony)

2015 03 20

OBTS Number		PROBABLE CAUSE AFFIDAVIT				1	N
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 06 - 19-126845		
Charge Type: ☒ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance Check as many ☐ 2. Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6. Other as apply.					Special Notes:		
Defendant's Name (Last, First, Middle) Powers, Terrance					Race W	Sex M	Date of Birth 03/03/1964
Charge Description Grand Theft			Charge Description Contracting Without Certification				
Charge Description			Charge Description				
Victim's Name (Last, First, Middle) Doan, Tony					Race O	Sex M	Date of Birth 10/19/1971
Victim's Local Address (Street, Apt. Number) 8824 Cobblestone Point Cir		(City) Boynton Beach	(State) FL	(Zip) 33472	Phone 561-596-8272	Address Source Verbal	
Victim's Business Address (Name, Street) 10660 Forest Hill Blvd #190		(City) Wellington	(State) FL	(Zip) 33414	Phone 561-333-4085	Occupation Business Owner	
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The Person taken into custody... ☐ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation.							
On the 16 day of October, 2019 at 1:30 ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest).							

NARRATIVE:

On 10/16/2019 Deputy Stephan Roberts #6509, while working the front desk of the PBSO District 8 Wellington Sub-station, met with walk in complainant/victim Tony Doan in reference to a report of Grand Theft and a possible Construction Fraud investigation. The victim advised that on 4/10/2019 he initiated contact, with who he believed to be a licensed contractor, Terrance Powers (w/m 03/03/1964) owner of Unlimited Interior & Exterior Improvement Services, Inc. Powers was recommended to Doan by a neighbor who utilized Powers to complete a painting service in the past. Doan believed Powers to be licensed as Powers presented Doan with a written estimate in the name of his business, Unlimited Interior & Exterior Improvement Services, Inc., and Powers had completed work for his neighbor. Doan negotiated a deal with Powers to paint his home for \$2,700.00. Doan was asked by Powers to provide a deposit of \$1,700.00 in advance of the services, an amount exceeding 10 percent of the contract price. Powers was to pull any required permits and begin work at a later date. Doan wrote Powers a check, #2814, drawn on Doan's business account at Bank of America (N D Investment Enterprises, Inc) in the amount of \$1,700.00, dated 4/10/2019 made payable to Terry Powers. That check was cashed, the same day, 4/10/2019.

The victim attempted to schedule a start date with Powers, however, they were told by Powers that due to rain delays he (Powers) was backed up and he would contact them and let them know when he could begin work. After several failed attempts over the next several weeks, to reach Powers and schedule a start date, the victim contacted his neighbor, Ed Neely, who had recommended Powers to him. Neely was able to reach Powers and advised he would start painting the following week. Powers never started the work and over the next several months never returned any of the victim's phone calls. As a result, the victim has sustained a loss of \$1,700.00.

The laws of Florida and Palm Beach County require a Contractor to have a license (Certificate of Competency) to bid, contract or perform work in numerous regulated trades to include the trade of Painting. Contractors must be licensed as State Contractors (allowed to work statewide) or County Contractors (only allowed to work in the county they are licensed /certified in).

NARRATIVE CONTINUATION

When a contractor is not licensed or certified by the county or state they are considered an Unlicensed Contractor. They cannot apply for permits nor have someone else apply for the permits for them.

On 10/23/2019 I sent a subpoena to Bank of America reference the victim's check # 2814. It was later confirmed that Terrance Powers, DOB 03/03/1964, negotiated the check on 4/10/2019 against his Bank of America account.

On 10/25/2019 Detective D. Murray assisted with the presentation of a photo lineup to victim Tony Doan. Doan was able to make a positive identification of suspect Terrance Powers.

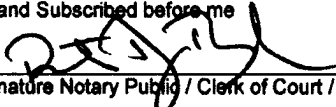
Doan sent the statutorily required demand letter, sent certified letter, return receipt requested, to suspect Powers demanding repayment of the \$1,700.00. Per FSS requirement, the suspect had 30 days to refund the payment.

On 11/12/2019 I met with Victim Doan who presented to me the certified letter he mailed, return receipt, to the suspect, Terrance Powers on 10/25/2019 to his address on file (Sunbiz.org) at 13525 Brixham St, Wellington, FL 33414. The letter was returned Return to Sender, Not Deliverable as Addressed, Unable to Forward.

On 11/14/2019 I contacted The Department of Business and Professional Regulation (DBPR) and spoke with Ed Garcia, Southeast Region Field Manager for Division of Regulation. He advised, after a diligent search of the Department of Business and Professional Regulations electronic records, there is no evidence that the suspect in this case, Terrance Powers, ever had a current or active license as a Construction Contractor in the State of Florida. He also advised the same for Unlimited Interior & Exterior Improvement Services, Inc. He later provided the two Certificates of Non-Licensure from DBPR. A search of PBC Building Division shows no painting permit was pulled.

I also contacted and received a letter from CILB (Construction Industry Licensing Board) advising that there is no evidence that Terrance Powers had any type of Contactor License from the CILB from 2005 - Present. The CILB also provided records that Suspect Terrance Powers had been issued a citation from CILB for contracting as a Painting contractor without certification in 2005 and 2008.

Based on this investigation and the facts as presented, probable cause exists to charge and arrest Suspect Terrance Powers with Grand Theft (a violation of FSS 812.014 (2)(c)(1) as the victim paid suspect Powers \$1,700.00 for services, which had not been performed for a period of over 90 days, depriving the owner of the funds and inferring the suspect appropriated the funds for his own use), and Contracting Without Certification (as upon search of the Contractors Certification Division records, no certification was discovered for Terrance Powers, d/b/a Unlimited Interior & Exterior Improvement Services, Inc., to engage in the regulated trade of Painting Contractor in Palm Beach County; therefore, the contractor is in violation of FSS 489.127 (1)(f) by engaging in the business or acting in the capacity of a contractor without being duly registered or certified or having a certificate of authority).

Sworn and Subscribed before me	
	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
Detective Timothy Barbusio 9087	Detective Suzanne Read 7446
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
12-3-19	12-3-19
Date	Date



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
Other	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

REVIEW COMPLETED BY

Booking Number: 2019038804

Date: 12/05/2019

Specialist Name/ID: howardt7185