

1-28-99

Final Order No. BPR-99-01012 Date 2-12-99

FILED

Department of Business and Professional Regulation

AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

04 JUL 15 AM 9:47  
FILED  
DIVISION OF PARI-MUTUEL WAGERING  
ADMINISTRATIVE  
HEARINGS

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,**

AT

98-3063

Petitioner,

vs.

CASE NO. 98060619

**FLORIDA GAMING CENTERS, INC.  
d/b/a TAMPA JAI ALAI,**

CSH-CLOS

Respondent.

**FINAL ORDER**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division"), pursuant to Section 120.57(1), Florida Statutes (Supp. 1998), enters this Final Order in the above-captioned matter. Upon consideration of the Recommended Order from the Administrative Law Judge (a copy of which is attached and incorporated as Exhibit A), review of the complete record, and being otherwise duly advised in the premises, the Division makes the following rulings, findings of fact, and conclusions of law:

**FINDINGS OF FACT**

The Findings of Fact set forth in the Recommended Order are approved, adopted in full, and incorporated herein by reference.

**CONCLUSIONS OF LAW**

1. The Division has jurisdiction over the parties and subject matter pursuant to Sections 550.0251 and 550.105, Florida Statutes (1997).

2. The Conclusions of Law recited in paragraphs 10 through 30 of the Recommended Order are approved, adopted in full, and incorporated herein by reference.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is

**ORDERED AND ADJUDGED**, as follows:

1. Respondent shall pay an administrative fine of \$1,000.00 for violating Section 550.1645, Florida Statutes.

2. Respondent shall receive a credit of \$907.40 toward the payment of the administrative fine from that payment made to the Division on September 8, 1998. The remaining balance of the fine, \$92.60, shall be paid to the Division of Pari-Mutuel Wagering in the form of a check or money order, made payable to the "Department of Business and Professional Regulation," within thirty (30) days from the date of this Final Order. TO ENSURE PROPER CREDIT, DETACH AND RETURN THE LAST PAGE OF THIS ORDER WITH YOUR PAYMENT.

**DONE AND ORDERED** this 11<sup>th</sup> day of February, 1999,

in Tallahassee, Florida.

  
\_\_\_\_\_

**DEBORAH R. MILLER, DIRECTOR**

Division of Pari-Mutuel Wagering

Northwood Centre

1940 North Monroe Street

Tallahassee, Florida 32399-1035


(850) 488-9130

**NOTICE OF RIGHT TO APPEAL**

**Pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure, any substantially affected party may appeal this Final Order by filing a Notice of Appeal with the clerk of this agency and the appropriate District Court of Appeal, accompanied by the appropriate filing fees, within 30 days of the date of this Final Order.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished via Certified U.S. Mail, Return Receipt Requested, to **William P. Cagney, III, Esq., 3400 Financial Center, 200 S. Biscayne Blvd., Miami, FL 33131**, and by interoffice mail to Eric H. Miller, Chief Assistant General Counsel, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1007, this 12<sup>th</sup> day of February, 1999.

  
\_\_\_\_\_  
M. Polombo, Clerk  
Division of Pari-Mutuel Wagering

**Copies furnished to:**

Bureau of Operations  
Licensing Section  
Bureau of Investigations

General Manager, Tampa Jai Alai  
Chief Inspector, Tampa Jai Alai  
Judges/Stewards

**TO ENSURE PROPER CREDIT, RETURN THIS PAGE WITH YOUR PAYMENT**

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The attached check/money order is in reference to DIVISION OF PARI-MUTUEL WAGERING  
v. FLORIDA GAMING CENTERS, INC. d/b/a TAMPA JAI ALAI; Case Number 98-060619.

Please send payment to the following address:

Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Licensing Section  
1940 North Monroe Street  
Tallahassee, Florida 32399-1037