

3-23-01

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD OF FUNERAL DIRECTORS AND EMBALMERS

FILED
04 JUL 15 AM 11:15
DIVISION OF
ADMINISTRATIVE
HEARINGS

BOARD OF FUNERAL DIRECTORS
AND EMBALMERS,

Petitioner,

vs.

REM-CWS

AT

DOAH CASE NO: 00-4803 PL
LICENSE NO.: FE 0003136

MARK L. TISHMAN,

Respondent.

Final Order No. BPR-2001-03164 Date: 7-23-01
FILED
Department of Business and Professional Regulation
AGENCY CLERK
Sarah Wachman, Agency Clerk

FINAL ORDER

By: Brandon M. Nichols

THIS MATTER came before the Board of Funeral Directors and Embalmers at a duly-noticed public meeting on May 17, 2001, in Tampa, Florida for consideration of the Recommended Order of Administrative Law Judge, Robert E. Meale, and entry of Final Order. After a complete review of the record in this matter, including consideration of the Recommended Order, the Original Administrative Complaint, the transcript of the proceedings below, Petitioner's Recommended Order, mitigating or aggravating circumstances, the Board makes the following findings and conclusions:

FINDINGS OF FACT

The fact set forth in the Recommended Order are approved, adopted and incorporated herein by reference by the Board as the Facts in this case. There is competent, substantial evidence to

support these facts.

CONCLUSIONS OF LAW

The conclusions of law set forth in the Recommended Order are approved, adopted, and incorporated herein by reference by the Board as the conclusions of law in this case. The violations set forth warrant disciplinary action by the Board of Funeral Directors and Embalmers.

PENALTY

In consideration of the foregoing findings of fact and conclusions of law, and the mitigating and aggravating factors set forth in the Recommended Order, the Board accepts the penalty recommended by the Administrative Law Judge.

IT is therefore **ORDERED AND ADJUDGED** that:

1. The respondent's license is hereby **REVOKED**.

This Order shall be effective upon filing with the clerk of the Department.

DONE AND ORDERED this 2nd day of July, 2001.

**BOARD OF FUNERAL DIRECTORS
AND EMBALMERS**



Kenneth Roberson, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to Section 120.569, Florida Statutes, any substantially affected person is hereby notified that they may appeal this Final Order by filing one copy of a Notice of Appeal with the clerk of the Department of Business and Professional Regulation and by filing the filing fee and one copy of a Notice of Appeal with the District Court of Appeal within 30 days of the date this Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U. S. Mail to Mark L. Tishman, c/o Jordan L. Wallach, Jordan L. Wallach, P.A., 1800 Second Street, Suite 900, Sarasota, FL 34236, and by inter-office mail to Charles Tunnickliff, Esquire, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, this ____ day of _____, 2001.

Sherry Landrum
Executive Director