

5-16-01

Final Order No. BPR-2001-02689 Date: 6-20-01
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 FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES**

FRANCIS FERRIS,

Petitioner,

AT

FILED
JUL 15 AM 9:16
DIVISION OF
ADMINISTRATIVE
HEARINGS

vs.

DOAH Case No.: 01-0849
DOCKET NO.: YS 2000162

**DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES,**

CA-CWS

Respondent.

_____ /

FINAL ORDER

The Director of the Division of Florida Land Sales, Condominiums, and Mobile Homes (Division) enters this Final Order in this matter.

PRELIMINARY STATEMENT

On October 2, 2000, the Division issued a Notice of Intent to Deny License, which alleged that the Petitioner, Francis Ferris (Ferris), failed to demonstrate his entitlement to a Yacht and Ship Salesperson's License. The Notice advised Ferris of his right to request a formal hearing or an informal proceeding pursuant to chapter 120, Florida Statutes. Ferris timely requested a formal hearing. The procedural history of

the proceedings before the Division of Administrative Hearings (DOAH) are set out by the Administrative Law Judge (ALJ) in the Recommended Order, which is adopted in full and incorporated in this Final Order. The Recommended Order is attached as exhibit A.

On May 16, 2001 the ALJ entered a Recommended Order finding that Ferris had not shown his entitlement to a Yacht and Ship Salesperson's License [Recommended Order at 8-9] The ALJ recommended that the agency deny Ferris a license. [Recommended Order at 9]

Neither party filed a transcript of the hearing. Neither party filed exceptions to the Recommended Order.

FINDINGS OF FACT

1. The Division adopts and incorporates by reference the Findings of Fact set forth in the Recommended Order.

CONCLUSIONS OF LAW

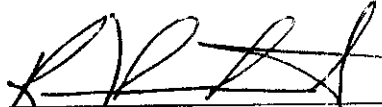
2. The Division adopts and incorporates by reference the Conclusions of Law set forth in the Recommended Order.

ORDER

Based on the foregoing findings of fact and conclusions of law, it is **ORDERED** that Petitioner's application for a Yacht and Ship Salesperson's License is denied.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this 19th day of

June, 2001.



ROSS FLEETWOOD, Director
Division of Florida Land Sales,
Condominiums, and Mobile Homes
Department of Business and
Professional Regulation
1940 North Monroe Street
Tallahassee, Florida 32399-1030

NOTICE OF RIGHT OF APPEAL

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE
APPEALED BY ANY PARTY SUBSTANTIALLY AFFECTED BY THIS FINAL ORDER
PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULE 9.110, FLORIDA
RULES OF APPELLATE PROCEDURE, BY FILING A NOTICE OF APPEAL
CONFORMING TO THE REQUIREMENTS OF RULE 9.110(d), FLORIDA RULES OF
APPELLATE PROCEDURE, BOTH WITH THE APPROPRIATE DISTRICT COURT OF
APPEAL, ACCOMPANIED BY THE APPROPRIATE FILING FEE, AND WITH THE
AGENCY CLERK, DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION, AT 1940 NORTH MONROE STREET, TALLAHASSEE, FLORIDA
32399-1007 WITHIN THIRTY (30) DAYS OF THE RENDITION OF THIS ORDER.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Certified Mail to Francis Ferris c/o Julio Gutierrez, Esquire, 1395 Northwest 15th Street, Miami, Florida 33125-1621, this _____ day of _____, 2001.

BEATRICE PRUITT, Docket Clerk

Copies furnished to:

Division of Administrative Hearings
Janis Sue Richardson, Office of the General Counsel
Peter Butler, Chief, Bureau of Compliance