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FILED

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DIVISION OF ADMINISTRATIVE HEARINGS

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION,
DIVISION OF HOTELS AND RESTAURANTS,

Final Order No. BPR-2001-04452 Date: 10-26-01
FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

AT

Petitioner,

vs.

DH&R Case No. 5-00-75
License No. 26-01032-H
DOAH Case No. 01-1828

GABLES GUEST HOUSE,

Respondent.

EJD-CWS

FINAL ORDER

The undersigned Director of the Division of Hotels and Restaurants enters this Final Order in the above-styled cause pursuant to Section 120, Florida Statutes.

Petitioner, Division of Hotels and Restaurants, adopts *in toto* the Recommended Order of the Honorable Ella Jane P. Davis, Administrative Law Judge, Division of Administrative Hearings, issued on the 27th day of September, 2001, herein attached as Exhibit "A."

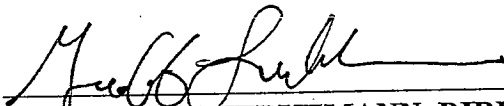
ORDER

Based upon the complete record, the findings of fact, conclusions of law, and recommendation of the Administrative Law Judge of the Division of Administrative Hearings, it is hereby **ORDERED** that:

1. Respondent shall pay an administrative fine in the amount of \$3,400, in monthly payments of no less than \$100.00 and no more than \$500.00. Payment shall be made by check or money order made payable to the Department of Business and Professional Regulation, and

mailed to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, within 30 days of the date of this Final Order. If Respondent fails to pay the fine as required by this Final Order, Respondent's license shall be suspended until he begins making the minimum monthly payments.

DONE AND ORDERED this 24th day of October, 2001, in Tallahassee, Florida.


GEOFFREY LUEBKEMANN, DIRECTOR
Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, Florida 32399-1012

NOTICE OF RIGHT TO APPEAL

This Order constitutes final agency action. Any party who is adversely affected by this Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the appropriate District Court and the Agency Clerk. The Notice of Appeal, accompanied by the appropriate filing fees, must be filed 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 **Lucy Deering, Gables Guest House**, at 2020 Main Street, Jacksonville, Florida 32206, and by Regular U.S. Mail to **The Honorable Ella Jane P. Davis, Administrative Law Judge**, at Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, and via inter-office mail to **Charles F. Tunncliff, Assistant General Counsel**, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, on this 31st day of October, 2001.

Delores Koonce
For the Division of Hotels and Restaurants