

9-11-01

AT

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

FILED  
01 SEP 26 PM 1:35  
DIVISION OF ADMINISTRATIVE HEARINGS

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

Final Order No. BPR-2001-03941 Date: 9-19-01  
FILED  
Department of Business and Professional Regulation  
AGENCY CLERK  
Sarah Wachman, Agency Clerk

Petitioner,

By: Brandon M. Nichols

vs.

DH&R Case No. 4-00-240  
License No. 15-04455-H  
DOAH Case No. 01-2010

JBC-clw

HIDDEN COVE APARTMENTS,

Respondent.

**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 Jeff B. Clark, Administrative Law Judge, Division of Administrative Hearings, issued on the 11th day of September, 2001, herein attached as Exhibit "A."

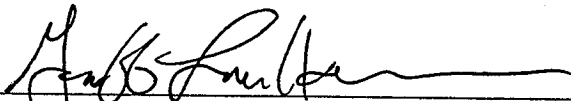
**ORDER**

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 \$2,400, which may be paid in one lump sum or in monthly installment of no less than \$100.00. 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 18<sup>th</sup> day of September, 2001, in Tallahassee, Florida.

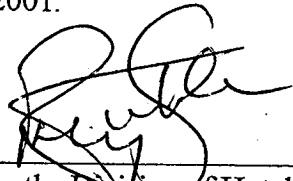
  
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**GEOFFREY LUEBKEMANN, DIRECTOR**  
Division of Hotels and Restaurants  
1940 North Monroe Street  
Tallahassee, Florida 32399-1012

**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 **David Moallem, Hidden Cove Apartments**, at 2115 Palm Bay Road, Northeast No. 3, Palm Bay, Florida 32909, and by Regular U.S. Mail to **The Honorable Jeff B. Clark, 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 21 day of September, 2001.

  
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For the Division of Hotels and Restaurants