

11-8-01

Final Order No. BPR-2002-03415
FILED

Date: 9/6/2002

Department of Business and Professional Regulation
AGENCY CLERK
Sarah Wachman, Agency Clerk

By: Sarah Wachman

STATE OF FLORIDA
CONSTRUCTION INDUSTRY LICENSING BOARD

AT

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

SFH-CLOS

Petitioner,

-vs-

DBPR CASE NO.: 2000-05698
DOAH CASE NO.: 01-3022PL
LICENSE NO.: CF C056847

ROMUALD EDWARD PRICE,

Respondent.

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FINAL ORDER

THIS MATTER came before the Construction Industry Licensing Board (hereinafter referred to as the "Board") pursuant to Section 120.57(1)(l), F.S., on March 14, 2002, in Dania, Florida, for consideration of the Recommended Order (a copy of which is attached hereto and incorporated herein by reference) issued by the Administrative Law Judge in the above styled case. The Petitioner was represented by Patrick F. Creehan, Esq. The Respondent was not present and was not represented by Counsel at the Board meeting.

Upon consideration of the Administrative Law Judge's Recommended Order and the arguments of the parties and after a review of the complete record in this matter, the Board makes the following findings:

FINDINGS OF FACT

1. The Administrative Law Judge's Findings of Fact are hereby approved and adopted and incorporated herein by reference.
2. There is clear and convincing evidence to support the Administrative Law Judge's Findings of Fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to the provisions of Section 120.57(1), and Chapter 489, Florida Statutes.
2. The Administrative Law Judge's Conclusions of Law, are hereby approved and adopted in toto and incorporated herein by reference.
3. Respondent is guilty of violating Section 489.129(1)(o), Florida Statutes.
4. There is clear and convincing evidence to support the Board's findings and conclusions.

THEREFORE, IT IS ORDERED AND ADJUDGED:

Respondent shall pay an administrative fine in the amount of Five Hundred Dollars (\$500.00) and costs in the amount of Three Hundred Twelve Dollars and Forty-Eight Cents (\$312.48) to the Board. Said fine and costs shall be paid within thirty (30) days after the date of filing of the Final Order.

To assure payment of the fine and costs, it is further ordered that all of Respondent's licensure to practice contracting shall be suspended with the imposition of the suspension being stayed for thirty (30) days of the date of filing of the Final Order. If the ordered fine and costs are paid within that thirty (30) day period, the suspension imposed shall not take effect. Upon payment of the fine and costs after the thirty (30) days, the suspension imposed shall be lifted. If the licensee does not pay the fine and

costs within said period, then immediately upon expiration of the stay, he shall surrender his licensure to the investigator of the Department of Business and Professional Regulation or shall mail it to the Board office at 1940 N. Monroe Street, Tallahassee, Florida 32399-1039.

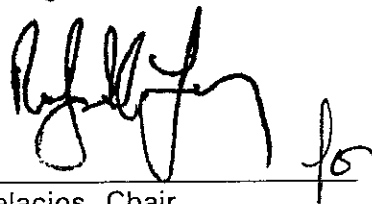
In addition, the Respondent will be required to pay interest on fines due to the Board at a rate of 18% per annum, beginning on the thirty-first (31st) day after the issuance of the Final Order.

A change in your licensure status, including the suspension, revocation, voluntary relinquishment, or involuntary relinquishment of your license does not relieve you of your obligation to pay any fines, costs, interest, or restitution imposed in this order.

Pursuant to Section 120.68, Florida Statutes, the Parties are hereby notified that they may appeal this Order by filing an original Notice of Appeal with the Clerk of The Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0792, and by filing the filing fee and one copy of the Notice of Appeal with the District Court of Appeal within thirty (30) days of the effective date of this Order.

This Order shall become effective upon filing with the clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 29th day of August, 2002.



Rafael R. Palacios, Chair
Construction Industry Licensing Board

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to: Romuald Edward Price c/o Ron Price Plumbing & Tile, 6089 Airport Road, Port Orange, Florida 32128-6705; to Bruce Johns, Esquire, 944 South Ridgewood Drive, Daytona Beach, Florida 32114; to Suzanne F. Hood, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; by hand delivery/United States Mail to the Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039, and to Patrick F. Creehan, Esq., Lead Construction Attorney, Office of the General Counsel, 1940 North Monroe Street, Suite 60, Tallahassee Florida 32399, on or before 5:00 p.m., this 6th day of September, 2002.

Sarah Wickman