

12-14-01

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
ELECTRICAL CONTRACTOR'S LICENSING BOARD

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
ELECTRICAL CONTRACTOR'S
LICENSING BOARD,

Final Order No. BPR-2002-02488 Date: 7-5-02
FILED
Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

Petitioner,

DOAH Case No.01-3573 PL
DBPR Case No. 2001-03602

BJS-CLUB

v.

ROBERT P. CORBETT
DBA CORBETT'S MOBILE HOME CENTER,

AT

Respondent.

_____ /

AMENDED FINAL ORDER

THIS MATTER came before the Secretary's designated Presiding Officer for the Department of Business and Professional Regulation ("Department") on January 25, 2002 in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(1), Florida Statutes, for consideration of the Recommended Order issued on December 14, 2001. Laura Patricia Gaffney, Assistant Attorney General, represented the Department. Respondent appeared by telephone at this hearing.

FINDINGS OF FACT

1. The Respondent is the State agency charged with regulating the practice of electrical contracting pursuant to section 20.165 and Chapter 489 Part II, Florida Statutes.
2. Respondent's last known mailing address is 1126 East Howard Street, Live Oak, FL 32064.

3. On July 19, 2001 the Petitioner filed an Administrative Complaint against the Respondent alleging that the Respondent had engaged in the unlicensed practice of electrical contracting.

4. In response to the aforementioned Administrative Complaint, the Respondent indicated that he disputed the facts alleged therein and timely requested a hearing involving material issues of disputed fact in accordance with Section 120.569 and Subsection 120.57(1), Florida Statutes.

5. A hearing involving material disputed facts herein was held before Judge Barbara J. Staros of the Division of Administrative Hearings (DOAH) on November 20, 2001, and the Recommended Order was issued on December 14, 2001.

6. There were no exceptions filed by either party herein.

7. Upon consideration of the record provided herein, the Secretary hereby adopts the Findings of Fact contained within the aforementioned Recommended Order.

CONCLUSIONS OF LAW

8. The Respondent has jurisdiction over the issuance of licenses to practice electrical contracting pursuant to Section 20.165, and Chapters 455 and 489, Florida Statutes.

9. The Secretary hereby adopts the Conclusions of Law contained within the aforementioned Recommended Order.

10. The Secretary hereby adopts the recommended penalty contained within the aforementioned Recommended Order.

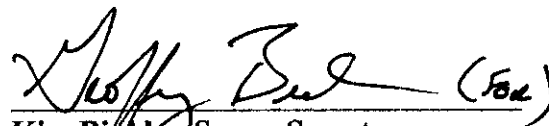
Having considered the pleadings, the Findings of Fact and Conclusions of Law herein, and being otherwise fully advised in the premises it is, hereby, **ORDERED AND ADJUDGED:**

1. Respondent shall pay an administrative penalty in the amount of one thousand dollars (\$1000.00) for the violation alleged herein. The money is due and payable to the Department of Business and Professional Regulation , Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, 32399 within thirty (30) calendar days of the effective date of this order.

2. Respondent shall pay the costs of this investigation and prosecution, excluding costs associated with an attorney's time, in the amount Six Hundred Fifty-nine Dollars and Forty-eight Cents (\$659.48), due and payable to the Department of Business and Professional Regulation , Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, 32399 within thirty (30) calendar days of the effective date of this order.

3. This Final Order shall become effective on the date of filing with the Agency Clerk.

DONE AND ORDERED this 27 day of JUNE, 2002.



Kim Binkley Seyer, Secretary
Department of Business and
Professional Regulation
Northwood Center
1940 North Monroe Street
Tallahassee, FL 32399-0750

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this Final Order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Florida Rules of Appellate Procedure, and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided via Certified U.S. Mail to Robert P. Corbett at 1126 East Howard Street, Live Oak, FL 32064, this 5th day of July, 2002.



Brandon M. Nichols
Deputy Agency Clerk

Copy furnished to:

Laura Patricia Gaffney
Assistant General Counsel

LPG/