

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

FRIENDSHIP GROUP HOME, )  
 )  
 Petitioner, )  
 )  
 vs. ) Case No. 01-4155  
 )  
 DEPARTMENT OF CHILDREN AND )  
 FAMILY SERVICES, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

RECOMMENDED ORDER

Pursuant to notice, the Division of Administrative Hearings, by its duly-designated Administrative Law Judge, Jeff B. Clark, held a formal administrative hearing in this case on December 20, 2001, and March 28, 2002, in Orlando, Florida.

APPEARANCES

For Petitioner: Clark D. Lochridge, Esquire  
2601 Wells Avenue, Suite 121  
Fern Park, Florida 32730

For Respondent: Eric D. Dunlap, Esquire  
Department of Children and  
Family Services  
400 West Robinson Street  
Suite S-1106  
Orlando, Florida 32801-1782

STATEMENT OF THE ISSUE

Whether or not Respondent had cause to revoke Petitioners'<sup>1</sup>  
conditional license to operate a group home facility.

PRELIMINARY STATEMENT

On July 13, 2001, Respondent, Department of Children and Family Services, advised Petitioners, John R. Oliver and Otis Clay Oliver, that their conditional license to operate Friendship Group Home was revoked. Petitioners (sometimes hereinafter referred to as the "Olivers") had offered services to mentally handicapped adults for approximately 22 years.

On May 29, 2001, Respondent had issued a conditional license to the Olivers as a result of alleged violations of Rule 65B-6.010, Florida Administrative Code, which were observed during a survey dated May 4, 2001. (This survey is incorrectly referenced as having taken place on May 14, 2001, in testimony and documents because the date on the survey report is May 14, 2001.)

Respondent advised the Olivers that the conditional license was revoked because "you have failed to adequately meet the requirements of your conditional license and because your submitted documentation of compliance and the present physical condition of your facility failed to meet minimum standards necessary to convey the continue your conditional license." These allegations were, in part, based on observations made during inspections conducted on May 4, 2001, and July 2, 2001.

The Notice of Revocation of License letter advised the Olivers of their right to an administrative hearing. On

July 24, 2001, the Olivers requested an administrative hearing by letter from their attorney. In this letter, John Oliver, who is identified as manager of Friendship Group Home, specifically denied allegations contained in the Notice of Revocation of License letter dated July 13, 2001.

Respondent referred this matter to the Division of Administrative Hearings on August 14, 2001. On October 31, 2001, the case was set for final hearing in Orlando, Florida, on December 20, 2001.

The final hearing commenced as scheduled with Petitioners presenting their case which took the entire day; Respondent was unable to present its case, and, as a result, the matter was not concluded. On January 3, 2002, a continuation of the final hearing was scheduled for February 5, 2002. Respondent moved to continue the final hearing based on the fact that Marlene Richmond, an important witness, was unavailable until after March 18, 2002, due to medical leave. On January 24, 2002, the motion was granted; the continuation of the final hearing was rescheduled for March 28, 2002. At the March 28, 2002, final hearing, Respondent presented its case. As a result of continuing medical problems, Marlene Richmond was not available on March 28, 2002. Leave was granted to include her deposition as part of the testimony. Her deposition was taken on June 11,

2002, was filed with the Division of Administrative Hearings on June 26, 2002, and is included as a part of this record.

At the hearings, Petitioners offered the testimony of four witnesses: John R. Oliver; Otis Clay Oliver; Carolyn Sasser, a sibling of a resident in Friendship Group Home; and John Cole, manager of a residential training facility for developmentally disabled adults. Petitioners entered 12 exhibits into evidence, which were marked Petitioners' Exhibits 3-9, 14, 16, 17, 19, and 20. Petitioners' Exhibit 20 is a video tape of the facility taken on December 17, 2001. One exhibit, marked Petitioners' Exhibit 1, was proffered and is included with this record.

At the June 11, 2002, deposition of Marlene Richmond, Petitioners attempted to introduce five exhibits; Petitioners' Exhibits 1 and 2, had previously been offered on December 20, 2001, and were not admitted at that time. These exhibits, as well as three additional exhibits offered at the deposition, marked Petitioners' Exhibits 11, 12, and 13, are not received into evidence based on the objections raised during the deposition and at the December 20, 2001, hearing.

Respondent presented six witnesses: Lara Grant, Human Services Counselor; Bernard Anderson, Senior Safety and Sanitation Specialist, Orange County Health Department; Lois Smith and Shirley Soule, appointed members of the local Advocacy Council for Individuals with Developmental Disabilities; Laura

Lucas, Human Services Program Specialist, who does licensing; and Marlene Richmond, Licensing Administrator, Operations Management Consultant. Respondent offered six exhibits which were received into evidence and marked Respondent's Exhibits 1-6. Petitioners' Exhibit 4 and Respondent's Exhibit 2 are identical (only Respondent's Exhibit 2 is included with this record).

A Transcript of the December 20, 2001, proceedings was filed with the Division of Administrative Hearings on January 17, 2002. A Transcript of the March 28, 2002, proceedings was filed with the Division of Administrative hearings on April 26, 2002. On June 27, 2002, following the filing of the Richmond deposition, an Order was entered which allowed the parties until July 19, 2002, to file proposed recommended orders. Both parties timely filed Proposed Recommended Orders.

#### FINDINGS OF FACT

Based on the testimony of witnesses presented, the documentary evidence, and Petitioners' Responses to Request for Admissions and the entire record in this proceeding, the following findings of fact are made:

1. Petitioners, John R. Oliver and his father, Otis Clay Oliver, have owned and operated Friendship Group Home for approximately 22 years. From 1995 until about six months before

the inspections that resulted in a conditional license and its revocation, they had operated it jointly. Early in 2001, John Oliver became solely responsible for the management of the group home facility.

2. Friendship Group Home is a "group home facility." As defined in Subsection 393.063(24), Florida Statutes, a "'Group home facility' means a residential facility which provides a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents. The capacity of such a facility shall be at least 4 residents but not more than 15 residents."

3. Respondent, Department of Children and Family Services, is authorized by Section 393.067, Florida Statutes, to "provide through its licensing authority a system of provider qualifications, standards, training criteria for meeting standards, and monitoring for residential facilities . . . ."

4. In addition to its licensing authority, Respondent may, as authorized by Subsection 393.0673(1), Florida Statutes, "deny, revoke, or suspend a license or impose an administrative fine, not to exceed \$1,000 per violation per day, for a violation of any provision of s. 393.0655 or s. 393.067 or rules adopted pursuant thereto."

5. On March 2, 2002, Bernard "Andy" Anderson, a veteran safety and sanitation inspector employed by the Orange County

Health Department (an independent governmental agency that inspects public facilities for sanitation and safety), conducted a routine inspection of Friendship Group Home. Mr. Anderson described the conditions he found as a "hellhole." More specifically, he found that thermostats were needed in all refrigerators; mattresses were soiled and torn; bed linen throughout was very dirty, ripped, and torn, some needed to be replaced, all needed regular cleaning; toilets were dirty, some with feces, all were stained, some needed to be replaced; showers needed cleaning; and some floor tile needed replacement, and cleaning.

6. Mr. Anderson further described the facility as "in need of a lot of work"; "absolute filth in each room of the facility"; it was so dirty that "it was a place he wouldn't want to sit down in"; "there was a stench throughout the building"; and "people that lived there were not clean and taken care of."

7. The facility was rated as "unsatisfactory" and given ten days to make corrections. Upon re-inspection on March 14, 2001, to determine corrections, the facility was determined to be "satisfactory." On April 24, 2001, a fax directed to Laura Lucas in response to a request from Respondent for a copy of a Sanitation Inspection Report, Mr. Anderson commented, "Clay Oliver does just enough to get by me. That place is a hellhole."

8. Mr. Anderson's testimony and the exhibits he authored are believable and accepted by the undersigned as credible.

9. Lois Smith and Shirley Soule inspected Friendship Group Home on February 28, 2001. Both are experienced members of an oversight group appointed by the Governor of the State of Florida which advocates for the developmentally disabled. Their unannounced inspection was in response to abuse reports received by Respondent.

10. They characterized the facility as "filthy and foul smelling"; "the buildings were in disrepair and in need of paint"; an in-ground swimming pool on the premises was filled with "green water"; a "horrible odor" was emanating from the back yard (Mr. Oliver advised them that the odor was from the septic tank which had been damaged and was open); soiled clothing, bed linen and mattresses were found throughout the living areas; and medications were found in an unlocked cabinet and not organized by client.

11. Mss. Smith and Soule made additional observations which were consistent with the observations of Mr. Anderson, the health department inspector. Each of these witnesses had the opportunity and capacity to objectively observe the condition of Friendship Group Home and its clients. The observations and concern for the conditions as expressed by Mss. Smith and Soule are credible and accepted by the undersigned.



12. Respondent was contacted by both Mr. Anderson and Mss. Smith and Soule and advised of the conditions found at Friendship Group Home. In response to the complaint from the local advocacy council members, Respondent conducted an inspection of the facility on March 22, 2001.

13. The March 22, 2001, inspection confirmed the observations of Mr. Anderson, Ms. Smith and Ms. Soule. In particular, the inspection noted the following: linen upon the beds was heavily soiled with dirt and body oils that appeared to have been there for some time; some beds had blankets on them and the blankets were in the same condition; and mattresses were torn and ripped. Linen was piled the in the laundry area which is outside of a building; the linen had been there so long, that weeds were growing through the linen pile. Client records were not being kept in accordance with Florida Administrative Code rules. While Mr. Oliver produced a folder containing loose papers for some of the clients, he was unable to produce records on each client that provided a record of expenditures and required medical information. Medications were maintained in an unlocked cabinet which included the medications of clients who were no longer living in the facility. Staff background screening information and records of in-service training were not available. Food supplies were not available in appropriate quantities. Toilets were unclean and badly stained; bathroom

floors were wet, water damage was present; and furniture was dirty, and broken down. The entire premises smelled of urine. Air-conditioners were not working, and living quarters were poorly ventilated. Dead roaches were in cabinets. The pool was green, and the bottom could not be seen because of the algae.

14. In a March 28, 2001, letter, Respondent specifically advised John Oliver of the "deficiencies and repairs." The letter also advised "[A]fter completion of required work and the Fire/Health department's re-inspection, an additional site visit will be conducted prior to a new application for renewal is approved."

15. On April 24, 2001, Otis Clay Oliver applied for license renewal for a developmental services residential facility for a maximum client capacity of 14.

16. On May 4, 2001, a survey/inspection of the facility was conducted in response to the application for license renewal. Although improvement from the March 22, 2001, inspection was noted, there were still missing and incomplete client records, records of individual expenditures were not being kept, staff records of training and Florida Department of Law Enforcement background checks were not in place, no written plan of emergency procedures was on file, no intake and placement plan was available, air-conditioners were still inoperable, the facility was still in disrepair, linens and beds

still needed to be replaced, a menu reviewed annually by a dietician was not available, and other violations were present.

17. A May 29, 2001, letter to Mr. John Oliver advised that a three-month "conditional" license had been approved with an issue date of June 1, 2001. Although advised of the right to hearing if there was disagreement with the conditional license, no hearing was requested.

18. The May 29, 2001, letter, which enclosed the May 4, 2001, survey findings, further advised: "Follow-up to sections A.2 (Budget and Finance), A.3.1.1 (Clients records), A.4 (Personnel) A.5 (Staff Training) A.6 (Client Rights) A.7 (Emergency Procedures) A.8 (Intake and Placement) H.2.9 (fire and safety) and H.3. (Facility Plant) H.4 (Maintenance and Storage) H.5 (Food Service) is required. Please forward notification as soon as possible-but no later than close of business Friday, June 29, 2001-that these requirement [sic] has been met."

19. The May 4, 2001, survey is formally titled, "Statement of Survey Findings/Deficiencies/Plan of Correction." The survey, as its title indicates, lists "Findings/Deficiencies," (violations of Florida Administrative Code rules), and for each finding/deficiency there is a listed "Plan of Corrective Action," and a "Completion Date." The completion date indicated for each activity was June 30, 2001. June 30, 2001, was a

Saturday. To avoid confusion, on June 6, 2001, Respondent sent John Oliver a letter reiterating the completion date of Friday, June 29, 2001, as indicated in the May 29, 2001, letter.

20. On June 28, 2001, John Oliver forwarded a "Response to Statement of Survey Findings/Deficiencies/Plan of Action." He understood that the violations of the Florida Administrative Code rules as noted in the May 14, 2001 [sic], "Statement of Survey Findings/Deficiencies/Plan of Correction," were to be completed by June 29, 2001.

21. On July 2, 2001, Respondent re-inspected Friendship Group Home and found the following: Records of expenditures from individual resident accounts are not being appropriately kept (violation of Rule 65B-6.010(2)(b), Florida Administrative Code). Individual records were missing medical summaries, records of clients' illnesses while resident in the facility, and written authorization for routine medical and dental care for clients were not present (violation of Rule 65B-6.010(3)(a)(2) and (4), Florida Administrative Code). Personnel files lack written references, job descriptions, records of in-service training and affidavits of good moral character (violation of Rule 65B-6.010(5), Florida Administrative Code). There was no written emergency plan (violation of Rule 65B-6.009(23)(b), Florida Administrative Code). One client's room needed an air-conditioner or other adequate cooling mechanism;

the same room required ceiling repairs (violation of Rule 65B-6.010(8)(i)and(1), Florida Administrative Code). Bed linens were not replaced with clean linen at least once a week (violation of Rule 65B-6.010(8)(c)(8), Florida Administrative Code). Meals were neither supervised by a nutritionists [sic], nor conducted pursuant to annual consultation with a dietitian (violation of Rule 65B-6.010(9)(c)(1), Florida Administrative Code).

22. On July 13, 2001, Respondent notified Petitioners by letter titled, "Notice of Revocation of License" that their conditional license had been revoked. It advised, "[Y]our plan of action dated June 28, 2001, and indeed the present condition of your facility and its records, do not meet the requirements of your conditional license. In particular (but not inclusive of all noted violations), you have failed to properly address section H.3 (Facility Plant) of the May 14, 2001 [sic], survey. The conditions of the facilities [sic] roof, bathroom areas, bedding and swimming pool remain substandard." This letter then referenced the July 2, 2001, "home visit," delineating additional specific violations (paragraph 21, supra).

23. The observations and reports of the inspections of March 22, May 4, and July 2, 2001, by Laura Lucas are accepted as credible. Although suggested by Petitioners, Ms. Lucas did not demonstrate bias, interest or ulterior motive. Her

observations were consistent with other witnesses and, to some degree, confirmed by Petitioner, John Oliver.

24. As evidenced by the July 2, 2001, inspection by Respondent, Petitioners failed to complete the Plan of Correction delineated in the May 14, 2001 (incorrectly date-referencing the May 4, 2001 survey), "Statement of Survey Findings/Deficiencies/Plan of Correction."

#### CONCLUSIONS OF LAW

25. The Division of Administrative Hearings has jurisdiction over the parties to and the subject matter of this proceeding. Section 120.57, Florida Statutes.

26. The charging document in this case is Respondent's Notice of Revocation of License letter dated July 13, 2001, which contains specific allegations of Petitioners' failure to comply with Rule 65B-6.010, Florida Administrative Code, titled, "Group Home Facility Standards."

27. In a case of this nature, Respondent bears the burden of proving the basis for its revocation of Petitioners' license. Florida Department of Transportation v. J.W.C., 396 So. 2d 778 (Fla. 1st DCA 1981).

28. Respondent must prove by clear and convincing evidence that Petitioners are not entitled to licensure. When, as in the instant case, the proceedings involve loss of a license to engage in a business or livelihood, it is incumbent that

Respondent prove violation of Section 393.0673, Florida Statutes, and the Florida Administrative Code rules incorporated by Section 393.0673, Florida Statutes, by clear and convincing evidence. Ferris v. Turlington, 510 So. 2d 292 (Fla. 1987); Pic N' Save Central Florida, Inc. v. Department of Business Regulation, Division of Alcoholic Beverages and Tobacco, 601 So. 2d 245 (Fla. 1st DCA 1992); Evans Packing Company v. Department of Agriculture and Consumer Services, 550 So. 2d 112 (Fla. 1st DCA 1989).

29. Rule 65B-6.005, Florida Administrative Code, lists four types of licenses for Developmental Services Programs residential facilities: (the following two are relevant to this matter)

(1) There shall be four types of licenses for Developmental Services Programs residential facilities:

(a) Standard license.

\* \* \*

(c) Conditional license with plan of correction

\* \* \*

(2) A standard license shall be issued to facilities that are in full compliance with all applicable standards and requirements.

\* \* \*

(4) A conditional license may be issued to facilities that fail to meet certain standards or requirements for which no waiver

has been issued. Conditional licenses shall be time limited and must be accompanied by an approved plan of correction. Failure to complete the actions specified in the plan of correction within the time limit specified in the plan shall result in revocation of the conditional license.

30. Subsection 393.0673(1), Florida Statutes, reads as follows:

The Department of Children and Family Services may deny, revoke, or suspend a license or impose an administrative fine, not to exceed \$1,000 per violation per day, for a violation of any provision of s. 393.0655 or s. 393.067 or rules adopted pursuant thereto. All hearings shall be held within the county in which the licensee or applicant operates or applies for a license to operate a facility as defined herein.

31. Rule 65B-6.003(5), Florida Administrative Code, reads as follows:

(5) A license shall be revoked at any time, pursuant to Chapter 28-6, F.A.C., if the applicant fails to maintain applicable standards or to observe any limitations specified in the license.

32. Rule 65B-6.010, Florida Administrative Code, titled, "Group Home Facility Standards," contains the standards applicable to group home facilities. Petitioner is alleged to have violated the following provisions of Rule 65B-6.010, Florida Administrative Code:



(2) Budget and Finance.

\* \* \*

(b) Accounting practices shall conform to basic accounting procedures and financial records shall identify each group home facility expense; individual client accounts for incidental expenses shall be identified; and a corporate group home facility shall verify by a Board of Directors' resolution that the total program can be maintained without dependence or reimbursement for at least sixty (60) days from the date of opening. Proprietorship and partnership facilities shall verify by signed statement that the program can be maintained without dependence on reimbursement for at least sixty (60) days from the date of opening.

\* \* \*

(3) Client Records to be maintained by the facility. The facility shall establish and maintain on the premises an individual record for each client.

(a) The record shall be kept in a lockable container and include at least:

\* \* \*

2. Written authorization for routine medical/dental care from the client or guardian and a medical summary, as supplied by the Department.

\* \* \*

4. A record of the client's illnesses and accidents while a resident of the facility.

\* \* \*

(5) Personnel Qualifications, Requirements and Responsibilities.

\* \* \*

(b) Staff identified in the application for licensure and providing direct care services must be at least eighteen (18) years of age. Written evidence of the qualifications of the direct care staff shall be maintained. Minimum criteria shall be demonstrated ability to meet the written established job description, appropriate life experience, and eighth grade education.

\* \* \*

(d) At least three written character references (excluding relatives) and an employment work history shall be required for direct care staff.

\* \* \*

(8) Group Home Facility Plant.

\* \* \*

(c) Bedrooms.

\* \* \*

8. Bedding and linens shall be provided for each client. These include a suitable pillow, pillow case, sheets, blanket and spread. Bedding shall be appropriate to the season. Bed linens shall be replaced with clean linens at least once each week, or more frequently as required.

\* \* \*

(i) Housekeeping. Each facility shall have equipment and supplies to:

1. Keep the building in a clean, safe and orderly condition.

2. Control odors by appropriate sanitation practices, effective cleaning procedures and proper use of ventilation.

\* \* \*

(1) Maintenance.

1. The facility shall maintain the interior and exterior of the building in a clean, safe, presentable and repaired condition.

2. The grounds and all buildings on the grounds shall be maintained in a safe, sanitary and presentable condition.

3. All outdoor garbage and other waste materials shall be kept in covered containers until removed. Containers shall be emptied as often as necessary to prevent public nuisance, health hazards and unsightliness, at least in accordance with all applicable state and local ordinances. The facility shall be kept free of unnecessary and unusable accumulations of possessions for the operation of the facility, including equipment and supplies of residents, staff or the facility's owner that constitute health and/or fire hazards.

\* \* \*

(9) Food Services.

\* \* \*

(c) Meal Planning.

1. When food services are not supervised by a nutritionist, a dietician shall be consulted at least annually. District Department staff can assist the facility in securing these services. Summaries of the consultation shall be retained in the facility's administrative records two years from the date of consultation.

33. As required by Rule 65B-6.005(4), Florida Administrative Code, the conditional license issued to the Olivers for Friendship Group Home was time limited and was accompanied by an approved plan of correction. The referenced Rule is clear that "[F]ailure to complete the actions specified in the plan of correction within the time limits specified in the plan [June 29, 2001] shall result in revocation of the conditional license."

34. The evidence demonstrates clearly and convincingly that, as observed during both the May 4 and July 2, 2001, inspections, Petitioners violated Rule 65B-6.010(2)(b), Florida Administrative Code, as follows: individual records of client expenditures were not being maintained.

35. The evidence demonstrates clearly and convincingly that, as observed during both the May 4 and July 2, 2001, inspections, Petitioners violated Rule 65B-6.010(3)(a)(2) and (4), Florida Administrative Code, as follows: support plans, medical summaries, records of client illnesses, and medical and dental authorizations on certain clients were not being maintained.

36. The evidence demonstrates clearly and convincingly that, as observed during both the May 4 and July 2, 2001, inspections, Petitioners violated Rule 65B-6.010(5), Florida

Administrative Code, as follows: the staff records did not contain written character references and a job description. While there are alleged violations regarding records of in-service training, affidavits of good moral character, fingerprint records, and Florida Department of Law Enforcement background checks, the cited rule, Rule 65B-6.010(5), Florida Administrative Code, makes no reference to these staff records requirements.

37. The evidence demonstrates clearly and convincingly that, as observed during both the May 4 and July 2, 2001, inspections, Petitioners violated Rule 65B-6.010(8)(c)(8), Florida Administrative Code, as follows: every inspection noted that the bed linen was discolored, filthy, dirty from body oil, in disrepair, or some other indication of Petitioners' failure to comply with the requirement to provide clean bed linen.

38. The evidence demonstrates clearly and convincingly that, as observed during both the May 4 and July 2, 2001, inspections, Petitioners violated Rule 65B-6.010(8)(i) and (l), Florida Administrative Code, as follows: another consistency among all inspections, was the repeated reference to the state of general filth and disrepair of the facility, evidence of water damage caused by leaks in the roof and in the bathroom facilities, a swimming pool filled with green water and algae, ripped, torn and broken bedding and furniture; the evidence

demonstrated that the Petitioners had allowed the group home facility to fall into such a state of disrepair that even though John Oliver was attempting some repairs, the property was substandard and continued to be substandard during the May 4 and July 2, 2001, inspections.

39. The evidence demonstrates clearly and convincingly that, as observed during both the May 4 and July 2, 2001, inspections, Petitioners violated Rule 65B-6.010(9)(c)(1), Florida Administrative Code, as follows: the requirement that client menus be approved by a dietician was not being followed.

40. The Notice of Revocation of License letter of July 13, 2001, references a violation of Rule 65B-6.009(23)(b), Florida Administrative Code; this Florida Administrative Code section deals with "Foster Care Facility Standards," and Subsection (23)(b), in particular, requires: "The foster caretaker(s) shall be knowledgeable in procedures for handling emergencies." While this appears to be some sort of scrivener's error, no effort was made to amend this allegation, and because of the punitive nature of these proceedings, this is not established to be a violation.

41. The foregoing evidence of continuing violation of the "Group Home Facility Standards" as established in Rule 65B-6.010, Florida Administrative Code, clearly and convincingly demonstrates Petitioners' failure to appropriately and timely

respond to the plan of correction established in the conditional license issued June 1, 2001.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is recommended that a final order be entered affirming the revocation of the conditional license of Otis C. Oliver and John R. Oliver issued on June 1, 2001, to operate a group home residential facility.

DONE AND ENTERED this 25th day of July, 2002, in Tallahassee, Leon County, Florida.

---

JEFF B. CLARK  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675 SUNCOM 278-9675  
Fax Filing (850) 921-6847  
www.doah.state.fl.us

Filed with the Clerk of the  
Division of Administrative Hearings  
this 25th day of July, 2002.

ENDNOTE

1/ Although "Friendship Group Home" is the Petitioner in the caption of the case, the license appears to be held by Otis C. Oliver and John R. Oliver. No evidence was presented to indicate that Friendship Group Home is a legal entity.

COPIES FURNISHED:

Eric D. Dunlap, Esquire  
Department of Children and Family Services  
400 West Robinson Street, Suite S-1106  
Orlando, Florida 32801-1782

Clark D. Lochridge, Esquire  
2601 Wells Avenue, Suite 121  
Fern Park, Florida 32730

Paul F. Flounlacker, Jr., Agency Clerk  
Department of Children and Family Services  
1317 Winewood Boulevard  
Building 2, Room 204B  
Tallahassee, Florida 32399-0700

Josie Tomayo, General Counsel  
Department of Children and Family Services  
1317 Winewood Boulevard  
building 2, Room 204  
Tallahassee, Florida 32399-0700

NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.