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Final Order No. BPR-2002-04685 Date: FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

DIVISION OF
ADMINISTRATIVE
HEARINGS
12-26-02

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES

CHRISTIAN P. WELVAERT,

Petitioner,

vs.

DOAH Case No.: 02-1282
DOCKET NO.: YS 2002-003

FSR - Closed

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES,

Respondent.

FINAL ORDER

The Director of the Division of Florida Land Sales, Condominiums, and Mobile Homes (Division) enters this Final Order in this matter.

PRELIMINARY STATEMENT

On January 10, 2002, the Division issued a Notice of Intent to Deny License Application, which alleged that the Petitioner, Christian P. Welvaert (Welvaert), failed to demonstrate his entitlement to a Yacht and Ship Salesperson's License. The Notice

advised Welvaert of his right to request a formal hearing or an informal proceeding pursuant to chapter 120, Florida Statutes. Welvaert timely requested a formal hearing.

The procedural history of the proceedings before the Division of Administrative Hearings (DOAH) are set out by the Administrative Law Judge (ALJ) in the Recommended Order, which is adopted in full and incorporated in this Final Order. The Recommended Order is attached as exhibit A.

On November 4, 2002 the ALJ entered a Recommended Order finding that Welvaert had not shown his entitlement to a Yacht and Ship Salesperson's License [Recommended Order at 7] The ALJ recommended that the agency deny Welvaert a license. [Recommended Order at 7]

Neither party filed a transcript of the hearing. Neither party filed exceptions to the Recommended Order.

FINDINGS OF FACT

1. The Division adopts and incorporates by reference the Findings of Fact set forth in the Recommended Order.

CONCLUSIONS OF LAW

2. The Division adopts and incorporates by reference the Conclusions of Law set forth in the Recommended Order.

ORDER

Based on the foregoing findings of fact and conclusions of law, it is **ORDERED** that Petitioner's application for a Yacht and Ship Salesperson's License is denied.

DONE and ORDERED in Tallahassee, Leon County, Florida, this 24th day of December, 2002.



[Signature]
BESS FLEETWOOD, Director
Division of Florida Land Sales,
Condominiums, and Mobile Homes
Department of Business and
Professional Regulation
1940 North Monroe Street
Tallahassee, Florida 32399-1030

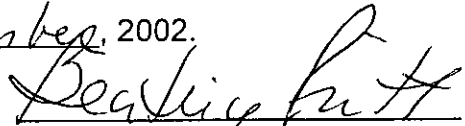
Exhibit A: Recommended Order

NOTICE OF RIGHT OF APPEAL

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY ANY PARTY SUBSTANTIALLY AFFECTED BY THIS FINAL ORDER PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE, BY FILING A NOTICE OF APPEAL CONFORMING TO THE REQUIREMENTS OF RULE 9.110(d), FLORIDA RULES OF APPELLATE PROCEDURE, BOTH WITH THE APPROPRIATE DISTRICT COURT OF APPEAL, ACCOMPANIED BY THE APPROPRIATE FILING FEE, AND WITH THE AGENCY CLERK, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, AT 1940 NORTH MONROE STREET, TALLAHASSEE, FLORIDA 32399-1007 WITHIN THIRTY (30) DAYS OF THE RENDITION OF THIS ORDER.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Certified Mail to Christian P. Welvaert, 7 Kenmore Lane, Boynton Beach, Florida 33435, this 26th day of December, 2002.


BEATRICE PRUITT, Docket Clerk

Copies furnished to:

Division of Administrative Hearings
Joseph S. Garwood, Office of the General Counsel
Robert Badger, Supervisor, Yacht and Ship Section