

5-29-03

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE COMMISSION

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DIVISION OF
ADMINISTRATIVE
HEARINGS

Final Order No. BPR-2004-00060 Date: 1-20-04
FILED

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF REAL ESTATE

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

By: Brandon M. Nichols

Petitioner

vs.

AT

CASE NO. 200180042

200180043

DOAH NO. 02-2836

REM-CLOS

MARIA L. NUEVO AND
REALCO REALTY, INC.,

Respondents

FINAL ORDER

On September 17, 2003, pursuant to Sections 120.569 and 120.57(1) of the Florida Statutes, the Florida Real Estate Commission heard this case to issue a Final Order.

Administrative Law Judge Robert E. Meale of the Division of Administrative Hearings (ALJ) presided over a formal hearing on March 6, 2003. On May 29, 2003, the ALJ issued a Recommended Order. Respondents filed exceptions to the ALJ's Recommended Order. The Florida Real Estate Commission adopted the ALJ's Recommended Order as to all Findings of Fact, Conclusions of Law and Recommendations and denied Respondent's exceptions. A copy of the Recommended Order is attached hereto as Exhibit A and made a part hereof.

Therefore, the Commission finds the Respondent violated Section 475.25(1)(b), 475.25(1)(e), of the Florida Statutes, and Florida Administrative Code Rule 61J2-14.012, and therefore is guilty of fraud, misrepresentation, concealment, dishonest dealing by trick, scheme or device, or breach of trust in any business transaction and failing to perform written monthly reconciliation on the escrow account.

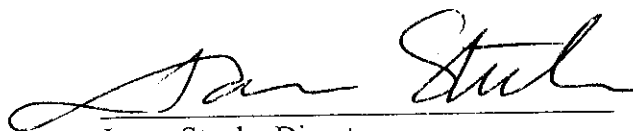
It is therefore **ORDERED** that Respondents' real estate licenses be permanently revoked.

This Final Order shall be effective thirty days from date of filing with the Clerk of the Department of Business and Professional Regulation. However, any party affected by this Final Order has the right to seek judicial review, pursuant to Section 120.68 of the Florida Statutes, and to Section 9.110 of the Florida Rules of Appellate Procedure.

Within thirty days of the filing date of this Final Order, review proceedings may be instituted

by filing a Notice of Appeal with the Clerk of the Department of Business and Professional Regulation at Suite 801N, 400 West Robinson Street, Orlando, Florida 32801-1757. At the same time, a copy of the Notice of Appeal, with applicable filing fees, must be filed with the appropriate District Court of Appeal.

DONE AND ORDERED this the 17th day of September 2003, in Orlando, Florida.



Jason Steele, Director
Division of Real Estate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent by U.S. Certified Mail to: Michael Wolf, Esquire, 3832 North University Drive, Sunrise, Florida 33322; by U.S. regular mail to the Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and a copy provided to Christopher J. DeCosta, Senior Attorney, Department of Business and Professional Regulation, 400 West Robinson Street #801N, Orlando, Florida 32801-1757, this 20th day of January 2004.

