

55-03

(58)

Final Order No. BPR-2003-02291 Date: **8-5-03**
FILED

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

By: Brandon M. Nichols

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

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF REAL ESTATE,

Petitioner,

vs.

DIANE THOMPSON,

Respondent.

AP

CASE NO. 200180811
DOAH NO. 03-0360PL

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

FLB-CLW

FINAL ORDER

On June 18, 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 Fred L. Buckine of the Division of Administrative Hearings presided over a formal hearing on March 27, 2003. On May 5, 2003, a Recommended Order was issued, which is adopted by the Florida Real Estate Commission as to all Findings of Fact, Conclusions of Law and Recommendations. A copy of which is attached hereto as Exhibit A and made a part hereof.

Petitioner filed Exceptions to the Recommended Order, which is attached hereto as Exhibit B and made a part hereof.

After completely reviewing the record and being otherwise fully advised, the Petitioner withdraws Exception I through VIII and XI.

The Commission rejects Exception No. IX, which addresses the paragraph no. 24 of the Findings of Conclusions of Law in the Recommended Order.

The Commission accepts Exception No. X of the Conclusions of Law in the Recommended

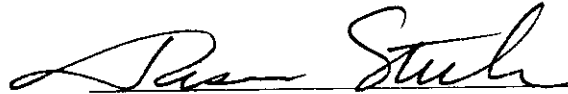
Order.

Therefore, based upon a complete review of the record, Exceptions to the Recommended Order and Response to the Exceptions, the Commission **ORDERS** that this case be dismissed.

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 Order has the right to seek judicial review, pursuant to Section 120.68, 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 18th day of June, 2003, in Orlando, Florida.



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: Jawdett I. Rubaii, Esquire, 1358 South Missouri Avenue, Clearwater, Florida 33756; the Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060; and a copy provided to Christopher J. DeCosta, Senior Attorney, Department of Business and Professional Regulation, 400 West Robinson Street, Suite 801N, Orlando, FL 32801-1757, this 5th day of August 2003.

