

8-9-04

FILED

STATE OF FLORIDA
BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

NOV 19 PM 1:06

STATE OF FLORIDA
BUILDING CODE ADMINISTRATORS AND INSPECTORS BOARD

SAMUEL DUKE BENNETT
Petitioner,

AT

v.

CASE NO. 04-1641

MMP-CWS

BOARD OF BUILDING CODE
ADMINISTRATORS AND INSPECTORS

Final Order No. BPR-2004-05180 Date: 11-18-04
FILED

Respondent,

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By:

Brandon M. Nichol

FINAL ORDER

THIS MATTER came before the Board of Building Code Administrators and Inspectors (hereinafter the "Board") at a duly noticed public meeting held on October 19, 2004, in Cape Canaveral, Florida. The hearing was conducted pursuant to Sections 120.569 and 120.57(1), Florida Statutes, for the purpose of considering the Administrative Law Judge's Recommended Order, (a copy of which is attached hereto as Exhibit A) in the above styled cause. Respondent was not present but was represented by counsel at the concerned hearing.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

3. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida

Statutes, and Chapter 468, Florida Statutes.

4. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

5. There is competent substantial evidence to support the conclusions of law.

DISPOSITION

6. Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge is accepted.

7. Petitioner's application for licensure as a building inspector is APPROVED.

This Final Order shall become effective upon filing with the clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 16th day of November,

2004.

**BUILDING CODE ADMINISTRATORS
AND INSPECTORS BOARD**

for Elise Rice
Anthony B. Spivey, Executive Director for
Chairperson, Building Code Administrators
and Inspectors Board

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.68, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the Clerk of the Department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to: Miriam S. Wilkinson, Esquire, Post Office Drawer 229, Tallahassee, Florida 32302-0229; Jeffrey D. Jones, Senior Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and Michael M. Parrish, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, on this 18th day of November, 2004.

Brandon M. Nichols