

3.9.05

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF HOTELS AND
RESTAURANTS,

Final Order No. BPR-2005-02115 Date: 4-26-05
FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By:

Blair M. Nichols

Petitioner, AT

DOAH CASE NO.: 04-3915 SFH closed
H&R CASE NO.: 2004-011245

vs.

RICH'S BBQ,

Respondent.

FILED
APR 28 11:41
PROFESSIONAL REGULATION
ADMINISTRATIVE
HEARINGS

FINAL ORDER

The Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation (the Division), after consideration of the complete record of this case on file with the Division, enters this Final Order.

1. On March 1, 2004, the Department issued an Administrative Complaint attached hereto as exhibit "A."
2. On January 21, 2005, a hearing in this cause was held before the Honorable Suzanne F. Hood, Administrative Law Judge of the Division of Administrative Hearings.
3. On March 9, 2005, Honorable Suzanne F. Hood issued a Recommended Order, a copy of which is attached as Exhibit "B." The Statement of the Issues, Preliminary Statement, Findings of Fact, Conclusions of Law, and Recommendation contained in the Recommended Order are hereby adopted *in toto* and incorporated herein by reference.

Certified Article Number
7160 3901 9848 8553 2867
SENDERS RECORD

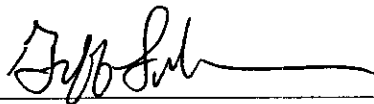
Based upon the foregoing, and being otherwise fully advised in the premises it is, hereby **ORDERED** that for Respondent's violations of Chapter 509, Florida Statutes, and/or the rules promulgated thereto the following penalty is imposed:

1. Respondent shall pay a fine in the amount of \$1,000.00, due and payable to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, within thirty (30) calendar days of the date this Order is filed with the Agency Clerk.

2. This Final Order shall become effective on the date of filing with the Agency Clerk.

DONE AND ORDERED this 12th day of April, 2005.

OK
CFK
3-17-05



Geoff Luebke, Director
Department of Business and
Professional Regulation
Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, Florida 32399-1015

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Certified U.S. Mail, Return Receipt Requested, to Respondent Elizabeth and Ronald Tillman, 505 North Orange Avenue, Green Cove Springs, Florida 32043; by regular U.S. Mail to the, the Suzanne F. Hood, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Charles F. Tunncliff, Chief Professions Attorney, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 this 26th day of April, 2005.



For the Division of Hotels & Restaurants