

STATE OF FLORIDA
CONSTRUCTION INDUSTRY LICENSING BOARD

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

-vs-

JOSHUA BARRETT WOODRUFF,

Respondent.

Final Order No. BPR-2006-03704 Date: 6-1-06

FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichols

CASE NO.: 2003-093233

LICENSE NO.: SC C131149603

DIVISION OF
ADMINISTRATIVE
HEARINGS

2006 JUN -2 A 11:05

FILED

FINAL ORDER

THIS MATTER came before the Construction Industry Licensing Board pursuant to Sections 120.569 and 120.57(1), Florida Statutes at the duly noticed meeting on March 8-10, 2005, in Jacksonville, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order of September 12, 2005 (attached). Petitioner was represented by Patrick F. Creehan, Esquire, who was present at the hearing. The Board was represented by Diane Guillemette. The Respondent was not present.

Findings of Fact

1. The findings of fact set forth in the Recommended Order are approved, adopted, and incorporated herein by reference.

Conclusions of Law

2. The Board has jurisdiction over this matter pursuant to the provisions of

Section 120.57 and Chapter 489, Florida Statutes.

3. The conclusions of law set forth in the Recommended Order are consistent with the findings and are approved, adopted, and incorporated herein by reference.

Penalty

4. The Administrative Law Judge's recommended penalty, is approved, adopted, and incorporated in this Final Order of the Board.

WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that

1. Respondent's license No.: SC C131149603 is suspended for 60 days. The suspension shall commence upon the date this Final Order is filed with the Clerk.

2. Respondent shall pay an administrative fine in the amount of Four Thousand Dollars (\$4,000). Said fine shall be paid within thirty (30) days after the date of filing of the Final Order.

In addition, the Respondent is required to pay interest on the fine due to the Board at a rate of 18% per annum, beginning on the thirty-first (31st) day after the issuance of the final order.

3. To assure payment of the fine, it is further ordered that Respondent's license to practice contracting shall be suspended with the imposition of the suspension being stayed for thirty (30) days from the date of the filing of the Final Order. If the ordered fine is paid to the Board within that thirty (30) day period, the suspension imposed shall not take effect. Upon payment of the fine after the thirty (30) days, the suspension imposed shall be lifted. If the licensee does not pay the fine within said

period, then immediately upon expiration of the stay, he shall surrender his license to the Department of Business and Professional Regulation.

6. A change in your licensure status, including the suspension, revocation, voluntary relinquishment, or involuntary relinquishment of your license does not relieve you of your obligation to pay any fines, costs, interest or restitution imposed in this order.

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

DONE and ORDERED this 26TH day of MAY, 2006.


JOAN M. BROWN, Chair
Construction Industry Licensing Board

NOTICE OF RIGHT TO APPEAL

THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY ANY PARTY PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULES 9.110 AND 9.190, 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 DEPARTMENT'S CLERK OF AGENCY PROCEEDINGS, WITHIN THIRTY (30) DAYS OF RENDITION OF THIS ORDER.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by Certified Mail to: JOSHUA BARRETT WOODRUFF, 238 W. Marvin Avenue, Longwood, FL 32750, and Jerrery T. Kippi, Esq., 605 Cresecent Executive Court, Ste. 122, Orlando, FL 32746, and by hand/interoffice delivery to the Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039; Patrick F. Creehan, Esq., Chief Construction Attorney, Office of the General Counsel, 1940 N. Monroe St., Ste. 60, Tallahassee, Florida 32399-2202, and Diane L. Guillemette, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, on or before 5:00 p.m., this 1st day of June, 2006.

Sarah Wachman