

10.28.05 AT

Final Order No. BPR-2005-06705 Date: 12-1-2005

FILED

Department of Business and Professional Regulation

AGENCY CLERK

Sarah Wachman, Agency Clerk

STATE

DEPARTMENT OF BUSINESS

DIVISION OF HOTELS AND RESTAURANTS

By: Sarah Wachman

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

Petitioner,

vs.

DOAH CASE NO.: 05-2757 TKW
H&R CASE NO.: 2005-023912 closed

HARRISON'S GRILL AND BAR,

Respondent.

FILED
05 DEC -2 PM 1:23
DIVISION OF
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 April 28, 2005, the Department issued an Administrative Complaint attached hereto as exhibit "A."
2. On October 5, 2005, a hearing in this cause was held before the Honorable T. Kent Wetherell, II, Administrative Law Judge of the Division of Administrative Hearings.
3. On October 28, 2005, Honorable T. Kent Wetherell, II 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 9849 2219 3211

SENDERS RECORD

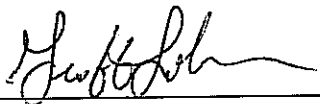
Based upon the foregoing, and being otherwise fully advised in the premises it is, hereby **ORDERED** that for Respondent's violations of Chapter 509, Florida Statutes, and/or the rules promulgated thereto the following penalty is imposed:

1. Respondent shall pay a fine in the amount of \$2,600.00, 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. Respondent shall attend an educational program sponsored by the Hospitality Education Program.

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

DONE AND ORDERED this 8th day of November, 2005.



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 Harrison's Grill and Bar, R & C Restaurant Unlimited, Inc., 401 South Fort Harrison Avenue, Clearwater, Florida 33756; by regular U.S. Mail to the, the Honorable T. Kent Wetherell, II, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Jessica Leigh, Assistant General Counsel, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 this 15th day of Dec.
_____, 2005.



For the Division of Hotels & Restaurants