

STATE OF FLORIDA  
FLORIDA REAL ESTATE APPRAISAL BOARD

RAFAEL OROPESA,  
Petitioner,

vs.

DOAH Case No: 06-0258

FLORIDA REAL ESTATE  
APPRAISAL BOARD,

Respondent.

Final Order No. BPR-2007-05224 Date: **7-5-07**  
FILED

Department of Business and Professional Regulation  
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichol

FINAL ORDER

THIS CAUSE came before FLORIDA REAL ESTATE APPRAISAL BOARD (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on August 7, 2006, in Orlando, Florida, for the purpose of considering Administrative Law Judge Florence Snyder Rivas' Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. Petitioner Rafael Oropesa (hereafter "Petitioner") and his Counsel John R. Sutton, Esq., were not present at the Board meeting. Respondent Florida Real Estate Appraisal Board (hereafter "Respondent") was represented by Assistant Attorney General Brian J. Stabley who was present at the Board meeting. The parties did not file exceptions to the Administrative Law Judge's Recommended Order. At this proceeding, the Board was represented by DBPR, Division of Real Estate Chief Prosecuting Attorney James Harwood.

After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order and the arguments of each party, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. The Administrative Law Judge's findings of fact as set forth in the Recommended Order are approved, adopted, and incorporated herein by reference.

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DIVISION OF  
ADMINISTRATIVE  
HEARINGS

2. There is competent, substantial evidence to support the Administrative Law Judge's findings of fact as adopted by the Board.

CONCLUSIONS OF LAW

3. The Board has jurisdiction of this matter pursuant to Sections 120.569 and 120.57(1), Florida Statutes, Chapter 475, Part II of the Florida Statutes, and Chapter 61J1 of the Florida Administrative Code.

4. The Administrative Law Judge's conclusions of law are approved, adopted, and incorporated herein by reference.

5. There is competent, substantial evidence to support the Administrative Law Judge's conclusions of law as adopted by the Board.

RECOMMENDATION

6. The Administrative Law Judge's recommendation is approved and adopted by the Board in its entirety.

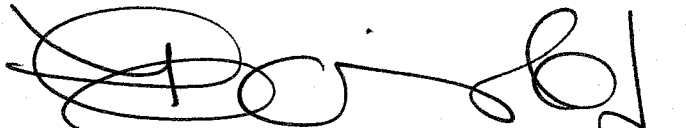
WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that:

Petitioner Rafael Oropesa's application for licensure as a Florida registered trainee real estate appraiser is **DENIED**.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 27 day of June, 2007.

FLORIDA REAL ESTATE  
APPRAISAL BOARD

  
Thomas O'Bryant, Jr., Director,  
Division of Real Estate on behalf of the  
Florida Real Estate Appraisal Board

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to Petitioner Rafael Oropesa, 14769 60<sup>th</sup> Street North, Loxahatchee, Florida 33470; Petitioner's Counsel John R. Sutton, Esq., 7721 Southwest 62<sup>nd</sup> Avenue, Suite 101, South Miami, Florida 33143; Chief Prosecuting Attorney James Harwood, Division of Real Estate, 400 West Robinson Street, Suite 801N, Orlando, Florida 32801; Lori Crawford, Division of Real Estate, 400 West Robinson Street, Suite 801N, Orlando, Florida 32801; and Mary Ellen Clark, Assistant Attorney General, Office of the Attorney General, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050 this 5<sup>th</sup> day of July, 2007.

Sarah Wachman