

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

RECEIVED
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DIV. HOTELS & RESTAURANTS

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

Petitioner,

vs.

PEPE'S COFFEE SHOP,

Respondent.

Final Order No. BPR-2006-07698 Date: **10-17-06**

FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By:

Brandon M. Nichols

DOAH CASE NO.: 06-1594
H&R CASE NO.: 2006-000449
LICENSE NO.: 1616814
LICENSE TYPE: 2010

DIVISION OF
ADMINISTRATIVE
HEARINGS

2006 OCT 19 A. 11: 12

FILED

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 January 24, 2006 the Department issued an Administrative Complaint attached hereto as exhibit "A."
2. On July 21, 2006, a hearing in this cause was held before the Honorable Florence Snyder Rivas, Administrative Law Judge of the Division of Administrative Hearings.
3. On September 22, 2006, Honorable Florence Snyder Rivas 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 6665 0961

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 \$5,500.00, 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 will attend a Hospitality Education Program Workshop (HEP) on food service or lodging sanitation and safety within ninety (90) days of the filing of the Final Order incorporating this stipulation with the Department's agency clerk. The Hospitality Education Administrator will provide verification that Respondent has taken the class. Respondent agrees to an additional \$250.00 fine if the HEP requirement is not completed within 90 days of the Final Order filing.

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

DONE AND ORDERED this 6th day of October, 2006.



Bill L. Veach, 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 Pepe's Coffee Shop, c/o Joseph Trujillo, 41 N.E. 44th Street, Fort Lauderdale, Florida 33334; by regular U.S. Mail to the, Honorable Florence Snyder Rivas, Administrative Law Judge, 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 17th day of October, 2006.

Sarah Wachman
For the Division of Hotels & Restaurants