



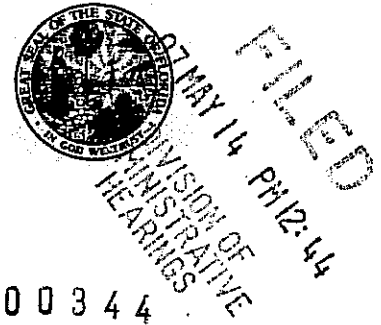
FLORIDA
DEPARTMENT OF
FINANCIAL
SERVICES

FILED

MAY 11 2007

Chief Financial Officer
Docketed by: *[Signature]*

ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA



000344

IN THE MATTER OF:

RICHARD WHITEHURST d/b/a ALLIED
QUALITY CARPET AND TILE

Case No. 86357-06-WC

06-2259

FINAL ORDER

THIS CAUSE came on before Chief Financial Officer Alex Sink, as head of the Department of Financial Services (the Department), for consideration of and final agency action on the Recommended Order (attached as Exhibit A) issued herein by Administrative Law Judge R. Bruce McKibben on March 22, 2007, after a formal hearing conducted pursuant to Section 120.57(1), Florida Statutes. No exceptions were filed.

After review of the record, including the transcript of proceedings and admitted exhibits, and being otherwise fully apprised in all material premises,

IT IS HEREBY ORDERED that the Findings of Fact made by the Administrative Law Judge are adopted as the Department's Findings of Fact, and that the Conclusions of Law reached by the Administrative Law Judge are adopted as the Department's Conclusions of Law, and are incorporated by reference.

IT IS HEREBY FURTHER ORDERED that the Recommendation made by the Administrative Law Judge is adopted by the Department. The Penalty assessed against the Respondent, Richard Whitehurst d/b/a Allied Quality Carpet and Tile, for failure to provide workers' compensation coverage for employees is affirmed. The Department acknowledges the receipt of the sum of \$2,867.19 from the Respondent and agrees to

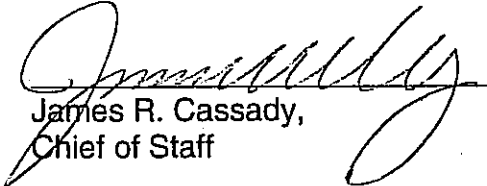
accept the sum of \$403.08 per month for 60 months until the penalty has been fully paid to the Department.

IT IS HEREBY FURTHER ORDERED that any failure to make the required monthly payments will cause the immediate reinstatement of the Stop Work Order lifted June 1, 2006, after the Respondent signed a "Payment Agreement Schedule for Periodic Payment of Penalty."

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the agency clerk, at 612 Larson Building, Tallahassee, Florida, and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this Order.

DONE AND ORDERED this 11 day of May, 2007.


James R. Cassady,
Chief of Staff

Copies to:

Richard Whitehurst
Allied Quality Carpet and Tile
Post Office Box 2292
Winter Park, Florida 32790

Stephen H. Thomas, Jr., Esquire
Colin M. Roopnarine, Esquire
Department of Financial Services
200 East Gaines Street
Tallahassee, Florida 32399-4229

R. Bruce McKibben, Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060