

**FILED**  
**STATE OF FLORIDA**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
07 MAY -3 PM 3: 02

A. C.,

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

Petitioner,

CASE NO. 06-3674

RENDITION NO. DCF-07- 092 -FO

v.

DEPARTMENT OF CHILDREN AND  
FAMILY SERVICES,

**FILED**

MAY - 1 2007

Respondent.

DCF Depo

\_\_\_\_\_ /

**FINAL ORDER**

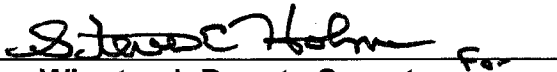
THIS CAUSE is before me for entry of a Final Order. The Recommended Order concludes that petitioner is not entitled to renewal of her family day care home registration because of a violation of minimum standards set forth in sections 402.301 – 402.319, Florida Statutes, and chapter 65C-20, Florida Administrative Code. Petitioner filed exceptions to the Recommended Order that are addressed below. The Recommended Order is approved and adopted.

Petitioner filed exceptions to certain findings made by the administrative law judge (ALJ). Although petitioner contests specific findings, she does no more than suggest alternative findings. Petitioner did not provide a copy of the transcript of the hearing, and did not allege or demonstrate that the ALJ's findings are not supported by competent substantial evidence presented at the hearing. The ALJ's findings of fact may not be modified or rejected without a showing that they are unsupported by the record. See Aldrete v. Department of Health, 879 So. 2d 1244 (Fla. 1<sup>st</sup> DCA 2004); Gross v. Department of Health,

819 So. 2d 997 (Fla. 5<sup>th</sup> DCA 2002). Petitioner's exceptions are, therefore, rejected.

Accordingly, petitioner's application to renew her child care license is DENIED.

**DONE AND ORDERED** at Tallahassee, Leon County, Florida, this 30 day of April, 2007.

  
Don Winstead, Deputy Secretary  
Department of Children and Family Services

**RIGHT TO APPEAL**

**A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF CHILDREN AND FAMILIES, AND A SECOND COPY ALONG WITH FILING FEE AS PRESCRIBED BY LAW, IN THE FIRST DISTRICT COURT OF APPEAL OR IN THE DISTRICT COURT OF APPEAL WHERE A PARTY RESIDES. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA RULES OF APPELLATE PROCEDURE. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.**

Copies furnished to:

Richard Cato  
District 7 Assistant Legal Counsel  
Department of Children and Family Services  
400 West Robinson Street, S-1106  
Orlando, FL 32801-1782

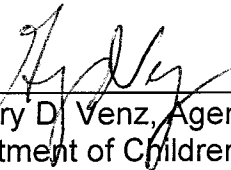
A.C.  
(address of record)

Child Care Licensing  
Department of Children and Family Services  
400 West Robinson Street  
Orlando, FL 32801-1782

Ann Cole, Clerk  
Division of Administrative Hearing  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-3060

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Final Order was provided to the above-named individuals at the listed addresses, by U.S. Mail, this 1 day of May, 2007.

  
\_\_\_\_\_  
Gregory D. Venz, Agency Clerk  
Department of Children and Families  
1317 Winewood Blvd.  
Bldg. 2, Rm. 204-X  
Tallahassee, FL 32399-0700  
(850) 488-2381