

STATE OF FLORIDA  
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

FILED

ANTOINETTE SCANZIANI,

2007 AUG 14 P 2:08

Petitioner,

v.

CASE NO. 06-3696

RENDITION NO. DCF-07- 186 -FO

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

DEPARTMENT OF CHILDREN AND  
FAMILY SERVICES,

Respondent.

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FILED

AUG 10 2007

DCF Department Clerk

**FINAL ORDER**

THIS CAUSE is before me for entry of a Final Order. The Recommended Order concludes that the Department established that petitioner did not comply with the requirements for licensure as a foster parent, and recommended that the Department deny petitioner's application to renew her foster care license. No exceptions to the Recommended Order have been filed. The Recommended Order is approved and adopted with one modification.

Paragraph 29 of the Recommended Order erroneously concludes that the Department bore the burden of proof in this proceeding. Petitioner, as the applicant for a foster care license, bore the burden of proof. Mayes v. Department of Children and Family Services, 801 So. 2d 980 (Fla. 1<sup>st</sup> DCA 2001). The Department was required to specify its reasons for denying the

license and to present competent substantial evidence to support those reasons.

Paragraph 29 is rejected, but that has no effect on the outcome of proceeding.

Accordingly, petitioner's application for a foster care license under section 409.175, Florida Statutes, is hereby DENIED.

**DONE AND ORDERED** at Tallahassee, Leon County, Florida, this 9  
day of August, 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

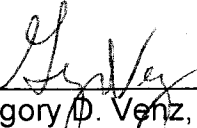
Antoinette Scanziani  
(address of record)

Maria Nistri  
Licensing and Screening Coordinator  
Department of Children and Family Services  
400 West Robinson Street, S-1129  
Orlando, FL 32801-1782

Claudia Llado, Clerk  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Pkwy  
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 10 day of August, 2007.

  
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Gregory D. Venz, Agency Clerk  
Department of Children and Families  
1317 Winewood Blvd.  
Bldg. 2, Rm. 204-X  
Tallahassee, FL 32399-0700