

STATE OF FLORIDA
FLORIDA REAL ESTATE APPRAISAL BOARD

DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION,
DIVISION OF REAL ESTATE,

Final Order No. BPR-2007-07179 Date: **9-13-07**
FILED

Department of Business and Professional Regulation
AGENCY CLERK
Sarah Wachman, Agency Clerk

Petitioner,

By: Brandon M. Nichol

vs.

DBPR Case No: 2005-044720
DOAH Case No: 06-3720

DONALD LEE PRICE,

License No.: RD 3933

Respondent.

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FILED
DIVISION OF
ADMINISTRATIVE
HEARINGS

FINAL ORDER

This matter came before the Florida Real Estate Appraisal Board (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on June 5, 2007, in Orlando, Florida, for the purpose of considering Administrative Law Judge (ALJ) Charles C. Adams' Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. The parties did not file any exceptions to the Recommended Order. Petitioner was represented by DBPR Real Estate Division Racquel A. White, Senior Attorney. Respondent was present and was represented by Martin A. Pedata, Esquire, who was also present. The Board was represented by Assistant Attorney General Mary Ellen Clark.

After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order, 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.

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, Florida Statutes, and Chapter 61J1 of the Florida Administrative Code.

4. The Administrative Law Judge's conclusions of law as set forth in the Recommended Order 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 that a final order be entered dismissing the Administrative Complaint against the Respondent is approved and adopted by the Board in its entirety.

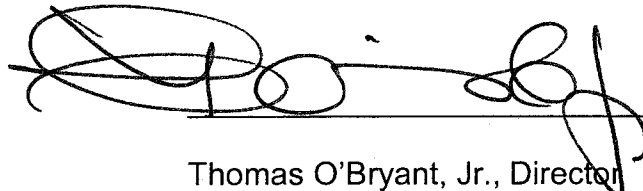
WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that:

The Administrative Complaint filed April 6, 2006, against Respondent is
DISMISSED.

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

DONE AND ORDERED this 4 day of September,
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 Respondent Donald Lee Price, 2302 Mitchell Place, Jacksonville, Florida 32209; Martin A. Pedata, Esq., Martin Pedata, P.A., 150 Wildwood Road, Deland, Florida 32720; Charles C. Adams, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; Racquel A. White, Senior Attorney, DBPR, Division of Real Estate, 400 W. Robinson Street, Suite 801N, Orlando, Florida 32801-1757; and Reginald Dixon, Assistant Attorney General, Office of the Attorney General, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050 this 13th day of September, 2007.

James Wickman