

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
FLORIDA REAL ESTATE APPRAISAL BOARD

FILED  
07 OCT 26 PM 1:53  
Date: 10-24-07  
DIVISION OF REAL ESTATE

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

Final Order No. BPR-2007-08382 FILED  
Department of Business and Professional Regulation  
AGENCY CLERK

Sarah Wachman, Agency Clerk

By:

*Brandon M. Nichol*

Petitioner,

vs.

DBPR Case No.: 2005-038196  
DOAH Case No.: 07-1051 PL  
License No.: RD 5451

ASHLEY LYNN SEIBERT,

Respondent.

**FINAL ORDER**

THIS MATTER came before the Florida Real Estate Appraisal Board (hereinafter "the Board") for consideration of the recommended order entered in the above-styled matter pursuant to Sections 120.569 and 120.57, Florida Statutes.

On August 9, 2006, Petitioner filed an administrative complaint against Respondent's license. The Respondent timely requested an evidentiary hearing before Division of Administrative Hearings (DOAH) and these matters were transferred to DOAH. On July 16, 2007, an administrative hearing was held before the Honorable Daniel Manry, Administrative Law Judge. Judge Adams' Recommended Order in this matter was filed with DOAH on September 14, 2007. There were no exceptions filed by either party. Based on its consideration of the entire record, the Board makes the following findings of facts and conclusions of law:

### **FINDINGS OF FACT**

1. The Board hereby adopts the finding of facts contained in paragraphs one (1) through five (5) of the Recommended Order as the Board's findings of facts.
2. There is competent substantial evidence to support the Board's findings of facts.

### **CONCLUSIONS OF LAW**

1. The Board hereby adopts the conclusions of law contained in paragraphs six (6) through fourteen (14) of the Recommended Order as the Board's conclusions of law.
2. There is competent substantial evidence to support the Board's conclusions of law.

### **ORDER**

The Board hereby adopts the Hearing Officer's Recommendation as the Board's decision on the Petitioner's applications.

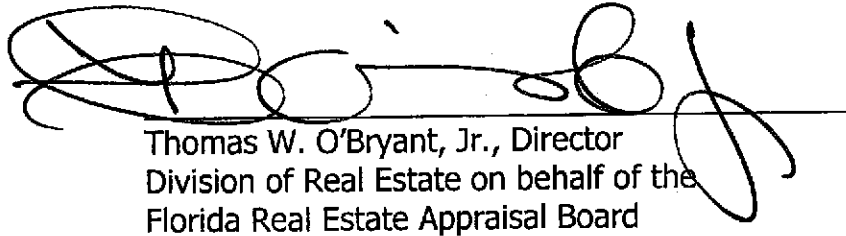
#### **IT IS THEREFORE ORDERED:**

1. The Respondent is found guilty of the charges alleged in the Administrative Complaint;
2. The Respondent is ordered to pay \$3,492.10 in investigative and administrative costs to the Petitioner within 30 days of the date of the entry of this final order; and
3. The Respondent's residential appraiser (RD 5451) license is hereby revoked.

This Final Order shall become effective upon filing with the Clerk of the Department.

**DONE AND ORDERED** this 19 day of October, 2007.

**FLORIDA REAL ESTATE APPRAISAL BOARD**



Thomas W. 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 HEALTH 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 has been furnished by U.S. Mail to: **Ashley Lynn Seibert**, 6775 Overlook Drive, Ft. Myers, Florida 33919 and PO Box 07038, FT. Myers, Florida 33919, **James Harwood, Chief Attorney**, Division of Real Estate, 400 West Robinson Street, Suite 801N, Orlando, Florida 32801 and **Daniel Manry**, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; by interoffice mail to **Reginald D. Dixon**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; this 24<sup>th</sup> day of October, 2007.

Sharon Wachman