

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

DIVISION OF
ADMINISTRATIVE
HEARINGS

Petitioner,

vs.

Case No. 2007-049661

TODD BOETZEL AND BOETZEL
LANDSCAPING, INC.

Final Order No. BPR-2008-09207 Date: **10-28-08**

FILED

Department of Business and Professional Regulation
AGENCY CLERK

Respondent.

Sarah Wachman, Agency Clerk

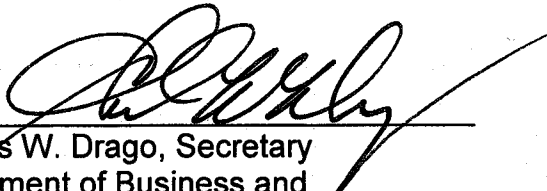
By Brandon M. Nichol

FINAL ORDER

UPON CONSIDERATION of the Administrative Complaint attached hereto as Exhibit "A", the transcript of the corresponding Division of Administrative Hearings (DOAH) case, the exhibits received into evidence, the Proposed Recommended Order filed by the Administrative Law Judge in this matter and attached hereto as Exhibit "B", any exceptions to the Recommended Order filed by either party, and being otherwise fully advised of the premises, it is hereby, ORDERED AND ADJUDGED:

1. The Findings of Fact, Conclusions of Law, and recommended penalty as detailed in the Recommended Order are hereby adopted.
2. Respondent is not guilty of engaging in the unlicensed practice of landscape architecture and electrical contracting.
3. This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 22nd day of October, 2008.



Charles W. Drago, Secretary
Department of Business and
Professional Regulation
Northwood Center
1940 North Monroe Street
Tallahassee, FL 32399-0750


NOTICE OF RIGHT TO APPEAL

Unless expressly waived, any party adversely affected by this Final Order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within 30 days of the effective date of this order, in accordance with Rule 9.110, Florida Rules of Appellate Procedure, and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Order has been provided via U.S. Mail to Respondent, Todd Boetzel and Boetzel Landscaping, Inc., c/o Gregory T. Elliott, Esquire, Elliott-Berger, P.A., 7310 Gulf Boulevard, St. Petersburg, Florida 33706, this 28th day of October, 2008.

SARAH WACHMAN, AGENCY CLERK

By: 
Brandy Nichols, Deputy Clerk

Copies furnished to:

Reginald D. Dixon, Informal Hearing Officer

Sorin Ardelean, Assistant General Counsel

Division of Regulation, Bureau of Unlicensed Activity

Daniel Manry, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060

Steven Petrozak, d/b/a Southern Cross Construction, 6435 92nd Place #901, Pinellas Park, Florida 33782