

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD
DIVISION I & II**

DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION,

Petitioner,

v.

FREDERICK B. NOWELL, SR.,
D/B/A WELLING CONSTRUCTION, INC./REDLAND
COMPANY, INC.,

Respondent.

Case No. 2007-018115
License No. CGC1505095
CGC1507772
CUC1223883
CUC1224007
QB 9978
QB 34340

CORRECTED¹ FINAL ORDER

THIS MATTER came before the Construction Industry Licensing Board (hereinafter the "Board"), pursuant to Sections 120.569 and 120.57(1), Florida Statutes, at the duly noticed meeting on April 9, 2009, in Stuart, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order entered on January 27, 2009 (attached hereto as *Exhibit A*) in the above-style cause. At the meeting, Petitioner was represented by Daniel Biggins, Assistant Attorney General; Respondent was neither present nor

¹ The purpose of this order is to correct the record to reflect the Board's prior ruling made in fact but defectively recorded. Additionally, this order is being filed to attached the Recommended Order as *Exhibit A*.

represented by legal counsel.

Upon consideration of the Recommended Order and being otherwise advised in the premises,

1. The Findings of Fact set forth in the Recommended Order are approved, adopted and incorporated herein by reference.

2. The Board has jurisdiction over this matter pursuant to the provisions of Chapters 120 and 489, Florida Statutes.

3. The Conclusions of Law set forth in the Recommended Order are consistent with the findings and are approved, adopted and incorporated herein by reference.

4. The recommended penalty set forth in the Recommended Order are approved, adopted and incorporated herein by reference.

Wherefore, it is hereby ORDERED and ADJUDGED that:

1. Respondent's Licenses CGC1505096, CGC1507772, CUC1223883, and CUC1224007 are hereby REVOKED.

2. Respondent shall immediately surrender or mail all evidence of his or her license to: Executive Director, Construction Industry Licensing Board, Department of Business and Professional Regulation, Post Office Box 5257, Tallahassee, Florida 32314-5257.

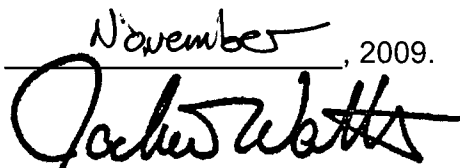
3. Respondent shall pay to the Board an administrative fine in the sum of **fifteen thousand dollars and zero cents (\$15,000.00)** and investigative costs in the sum of **two hundred, twenty-three dollars and twenty-one cents (\$223.21)**. Said fine and costs shall be paid within 30 days after the date of filing of the Final Order. In addition,

Respondent is required to pay interest on the fine due to the Board at a rate of 18% per annum, beginning on the 31st day after the issuance of the Final Order.

4. A change in licensure status, including the suspension, revocation, voluntary relinquishment, or involuntary relinquishment of license does not relieve Respondent of the obligation to pay any fines, costs, interest or restitution imposed in this Final Order.

This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 3rd day of November, 2009.



JACQUELINE A. WATTS, Chair
Construction Industry Licensing Board

NOTICE OF RIGHTS OF 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 Clerk of the Department of Business and Professional Regulation and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal or the District Court of Appeal in the appellate district where the party resides. The Notice of Appeal must be filed within 30 days of rendition of this Final Order.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided by U.S. Certified Mail to **Frederick B. Nowell, Sr.**, 2333 North State Road 7, Margate, Florida 33063, and Federal Medical Center, #79553-004, Antaeus Unit, Lexington, Kentucky 40512-4500; by hand or interoffice delivery to **Construction Industry Licensing Board**, Post Office Box 5257, Tallahassee, Florida 32314-5257, **Jeffrey J. Kelly, Esquire**, Chief Construction Attorney, Office of the General Counsel, Post Office Box 5257, Tallahassee, Florida 32314-5257, and **Carrol Y. Cherry**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, by hand or interoffice delivery, this 4th day of December, 2009.

Brandon M. Nichols

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