

STATE OF FLORIDA
AGENCY FOR PERSONS WITH DISABILITIES

LAMAR COMPANION SERVICE
CORP., a Florida Corporation
d/b/a LINDSEY GROUP HOME, and
MINNIE LINDSEY

DOAH Case NO.: 09-1540
RENDITION No. : APD-09-7407-FO

Petitioner,
v.

AGENCY FOR PERSONS WITH DISABILITIES

Respondent.

FINAL ORDER

This cause is before the Agency for Persons with Disabilities for consideration and final agency action concerning whether Petitioner is entitled to renewal of its standard license as a group home for the developmentally disabled.

PRELIMINARY STATEMENT

On August 20, 2008, Petitioner filed a request for an administrative hearing, challenging the Agency's decision not to renew its license as a group home for the developmentally disabled. The Agency forwarded the request to the Division of Administrative Hearings and, on June 1, 2009, Administrative Law Judge Diane Cleavinger held a hearing. Following the hearing, the ALJ submitted her Recommended Order to the Agency on August 19, 2009, in which

she recommended that the Agency issue a Final Order finding that Petitioner was not eligible for renewal of its license and dismiss the Petition. A copy of the Recommended Order is attached to this Final Order.

FINDINGS OF FACT

The Administrative Law Judge's Findings of Fact as set out in the attached Recommended Order are approved and adopted.

CONCLUSIONS OF LAW

The Administrative Law Judge's Conclusions of Law as set out in the attached Recommended Order are approved and adopted.

Accordingly, upon review of the complete record in this case, including the Recommended Order, the submissions and arguments of the parties, and being otherwise fully advised in the premises, it is hereby ORDERED that Petitioner is not eligible for renewal of its license. The Petition is hereby DISMISSED.

DONE AND ORDERED, this 6 day of November, 2009, in
Tallahassee, Florida.



Mac McCoy, Operations Officer
Agency for Persons with Disabilities
4030 Esplanade Way, Suite 380
Tallahassee, FL 32399-0950

RIGHT TO APPEAL

A party who is adversely affected by this final order is entitled to judicial review. To initiate judicial review, the party seeking it must file one copy of a "Notice of Appeal" with the Agency Clerk. The party seeking judicial review must also file another copy of the "Notice of Appeal," accompanied by the filing fee required by law, with the First District Court of Appeal in Tallahassee, Florida, or with the District Court of Appeal in the district where the party resides. Review proceedings shall be conducted in accordance with Florida Rules of Appellate Procedure. The Notices must be filed within thirty (30) days of the rendition of this final order.¹

Information about some sources of possible legal assistance maybe found at:
<http://apd.myflorida.com/customers/legal/resource-listing.htm>

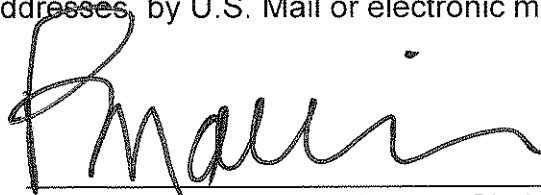
Copies furnished to:

Jonathan Grabb, Esquire
Agency for Persons with Disabilities
Office of the General Counsel
4030 Esplanade Way, Suite 380
Tallahassee, FL. 32399
Claudia Llado
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Minnie Lindsey
Lamar Companion Service Corp.
1792 Terex Circle
Cantonment, Florida 32533

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 or electronic mail, this 6th day of ~~NOVEMBER~~ 2009.



Percy W. Mallison, Jr., Agency Clerk
Agency for Persons with Disabilities

¹ The date of the "rendition" of this Final Order is the date that is stamped on its first page. The Notices of Appeal must be received on or before the thirtieth day after that date.