



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

095264
FILED

MAY 25 2010

Docketed by 

IN THE MATTER OF

JEFFREY BATES

Case No. 105724-09-FM

FINAL ORDER

This cause came on for consideration of and final agency action on the Recommended Order filed on April 20, 2010, by Administrative Law Judge (ALJ) Susan B. Harrell. A copy of that Recommended Order is attached as Exhibit A. On June 27, 2009, the Petitioner Jeffrey Bates (Bates) received a Bureau Examination Grade Report from the Respondent Department of Financial Services, Division of State Fire Marshal (Department) indicating he did not pass the Firesafety Inspector Examination Re-Test and that he (Bates) pursuant to Subsection 633.081(2)(f), Florida Statutes would have to retake the course(s) required and submit a new application for approval, and pass the certification examination in order to obtain certification as a firesafety inspector.

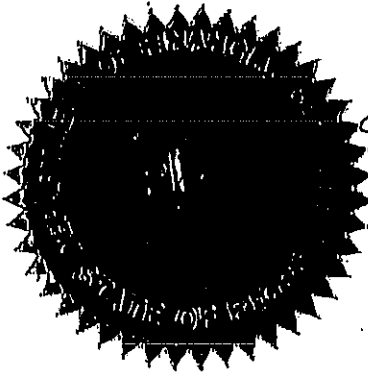
Pursuant to Section 120.57(1), Florida Statutes, a formal hearing was conducted on February 26, 2010, before Administrative Law Judge Susan B. Harrell, in Orlando, Florida. No exceptions were filed.


After review of the record, including admitted exhibits, and being otherwise fully apprised in all material premises,

IT IS HEREBY ORDERED that the ALJ's Findings of Fact and Conclusions of Law set forth in the Recommended Order are adopted as the Department's Findings of Fact and Conclusions of Law.

IT IS HEREBY FURTHER ORDERED that Jeffrey Bates' certification as a Firefighter Inspector is denied until Jeffrey Bates retakes the course(s) required, submits a new application for approval, and obtains a passing score on the Firesafety inspector certification examination, pursuant to Section 633.081(2)(f), Florida Statutes and Rule 69A-39.007, Florida Administrative Code.

DONE and ORDERED this 25th day of May, 2010.




Brian London
Deputy Chief Financial Officer

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a petition or notice of appeal Julie Jones, DFS Agency Clerk, Florida Department of Financial Services, 612 Larson Building, Tallahassee, Florida 32399-0390, and a copy of the same with the appropriate District Court of Appeal within thirty (30) days of rendition of this Order.

Copies furnished to:

Jeffrey Bates, Petitioner Pro Se
Regina M. Keenan, Esquire (For the Department)
Susan B. Harrell, ALJ