

STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
DIVISION OF MOTOR VEHICLES

DOAH CASE NO. 10-0359  
DMV CASE NO.: 09-1900  
FINAL ORDER #: HSMV-10- 459 -S-DMV

DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES, DIVISION  
OF MOTOR VEHICLES,

Petitioner,

v.

DRIVE IT AWAY AUTO SALES, INC.,

Respondent.

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**FINAL ORDER**

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Barbara J. Staros, an Administrative Law Judge of the Division of Administrative Hearings, pursuant to Petitioner's Settlement Stipulation and Motion to Relinquish Jurisdiction, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Order Closing File as its Final Order in this matter.

Accordingly it is **FOUND** and **ORDERED** as follows:

1. That Respondent shall pay an administrative fine in the amount of two thousand dollars (\$2,000.00). The fine shall be paid in four monthly payments. The first payment of \$500.00 to be paid on or before **April 30, 2010**. The second payment of \$500.00 to be paid on or before May 30, 2010. The third payment of \$500.00 to be paid on or before June 30, 2010. The fourth and final payment of \$500.00 to be paid on or before July 30, 2010. All payments are to be made by returning a copy of the order with payment to:

Department of Highway Safety and Motor Vehicles  
Office of the Hearing Officer  
Division of Motor Vehicles  
2900 Apalachee Parkway, Room A308, MS-61  
Tallahassee, Florida 32399-0600

2. If Respondent pays each installment of the amount specified in paragraph one above within the specified time the Department will impose no further penalties or sanctions against Respondent. However, if Respondent fails to pay any installment as specified in paragraph one, on the day following the due date of the installment, Respondent's motor vehicle dealer license will be automatically suspended and Respondent will cease to do business as a motor vehicle dealer.

3. If, after suspension Respondent pays the past due installment before the due date of the next installment, its motor vehicle dealer license will immediately be reinstated without further penalties or sanctions. However, if Respondent fails to pay the past due installment by the due date of the next installment, the Department will revoke Respondent's motor vehicle dealer license.

4. If the Department suspends or revokes Respondent's motor vehicle dealer license for non-payment as specified in paragraphs two and three said suspension or revocation shall be without recourse to the Respondent and Respondent hereby expressly waives any right to appeal or otherwise contest the suspension and revocation.

**DONE AND ORDERED** this 24<sup>th</sup> day of March 2010, at Tallahassee, Leon County, Florida.



Carl A. Ford, Director  
Division of Motor Vehicles  
Department of Highway Safety and  
Motor Vehicles  
Neil Kirkman Building, Room B439, MS-60  
Tallahassee, Florida 32399-0600  
Filed in the official records of the  
Division of Motor Vehicles  
this 26<sup>th</sup> day of March 2010.

  
Nalini Vinayak, Dealer License Administrator

## NOTICE OF APPEAL RIGHTS

Judicial review of this order may be had pursuant to section 120.68, Florida Statutes, in the District Court of Appeal for the First District, State of Florida, or in any other district court of appeal of this state in an appellate district where a party resides. In order to initiate such review, one copy of the notice of appeal must be filed with the Department and the other copy of the notice of appeal, together with the filing fee, must be filed with the court within thirty days of the filing date of this order as set out above, pursuant to Rule 9.110, Rules of Appellate Procedure.

CAF:jdc

Copies furnished:

Deborah Osman  
Regional Administrator

Dealer License Section

Joel Sharp, President  
Drive it Away Auto Sales, Inc.  
2527 West Tennessee Street  
Tallahassee, Florida 32304

FALR  
Post Office Box 385  
Gainesville, Florida 32602