

**FILED**  
Department of Business and Professional Regulation  
Deputy Agency Clerk  
CLERK Brandon Nichols  
Date **9/30/2010**  
File # **2010-09240**

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
FLORIDA REAL ESTATE COMMISSION

**FILED**  
2010 OCT - 1 P 2 01  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF REAL ESTATE,

Petitioner,

vs.

Case No. 10-1609PL  
FDBPR Case No. 2008-049766

MICHAEL JACOB PIWKO,

Respondent.

FINAL ORDER

THIS CAUSE came on to be heard before the Florida Real Estate Commission ("Commission") pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on August 17, 2010, in Orlando, Orange County, Florida, for the purpose of considering Administrative Law Judge J.D. PARRISH'S Recommended Order in the above styled case. A copy of said Recommended Order is attached hereto and incorporated herein as Exhibit "A."

Respondent was not present, and was not represented by counsel. The Petitioner was represented by Joseph Solla, Esquire, Department of Business and Professional Regulation, Division of Real Estate, Orlando, Orange County, Florida. The

Commission was represented by Rachel Clark, Assistant Attorney General, Office of the Attorney General, Tallahassee, Leon County, Florida.

After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order and the arguments of Petitioner, the Commission makes the following findings of fact and conclusions of law:

**Findings of Fact**

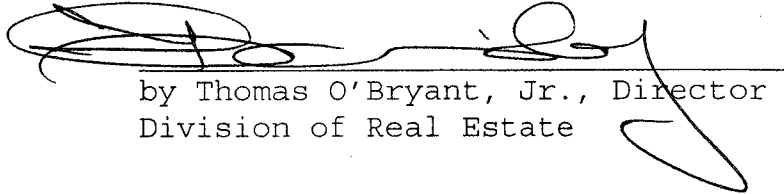
1. The Administrative Law Judge's findings of fact as set forth in Exhibit "A" are approved, adopted, and incorporated herein by reference.
2. There is competent, substantial evidence to support the Administrative Law Judge's findings of fact as adopted by the Commission.

**Conclusions of Law**

3. The Commission has jurisdiction of this matter pursuant to Sections 120.569 and 120.57(1), Florida Statutes, Chapter 475, Part I, Florida Statutes, and Chapter 61J2 of the Florida Administrative Code.

4. The Administrative Law Judge's conclusions of law as set forth in Exhibit "A" are approved, adopted, and incorporated herein by reference.

DONE and ORDERED this 20 day of September 2010, by the  
Florida Real Estate Commission.



by Thomas O'Bryant, Jr., Director  
Division of Real Estate

NOTICE OF RIGHT TO 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 agency clerk of the Department of Business and Professional Regulation and a second copy, accompanied by filing fees prescribed by law, with the district court of appeal in the appellate district where the party resides. The Notice of Appeal must be filed within thirty (30) days of rendition of the order to be reviewed.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to J.D. Parrish, Administrative Law Judge, Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; Heather A. Rutecki, Esquire, 100 S.E. Second Street, Bank of America Tower, Suite 4600, Miami, Florida 33131; and Tom Barnhart, Special Counsel, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, and by inter-office mail to Joseph Solla, Esquire, 400 West Robinson Street, Suite N801, Orlando, Florida 32801 on this 30<sup>th</sup> day of September, 2010.

Brandon M. Nichols

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