

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF HOTELS AND
RESTAURANTS,

Petitioner,

v.

DOAH CASE NO.: 10-2431
H&R CASE NO.: 2008-029305
LICENSE NO.: 23-26334
LICENSE TYPE: 2010

NEW SAN TELMO,

Respondent.

FINAL ORDER

The Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation (the Division), after consideration of the complete record of this case on file with the Division, enters this Final Order.

1. On May 19, 2008, the Department issued an Administrative Complaint, a copy of which is attached as Exhibit "A."

2. On August 2, 2010, a hearing in this cause was held before the Honorable Edward T. Bauer, Administrative Law Judge, Division of Administrative Hearings.

3. On August 30, 2010, Honorable Edward T. Bauer issued an Amended Recommended Order, a copy of which is attached as Exhibit "B." The Statement of the Issues, Preliminary Statement,

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DIVISION OF
ADMINISTRATIVE
HEARINGS
FILED


Findings of Fact, Conclusions of Law, and Recommendation contained in the Recommended Order are hereby adopted *in toto* and incorporated herein by reference.

Based upon the foregoing, and being otherwise fully advised in the premises it is, hereby ORDERED that: for Respondent's violations of Section 509, Florida Statutes, and/or the rules promulgated thereto the following penalty is imposed:

1. Respondent shall pay a fine in the amount of \$1,350.00, due and payable to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, within thirty (30) calendar days of the date this Order is filed with the agency clerk.

2. This Final Order shall become effective on the date of filing with the Agency Clerk.

DONE AND ORDERED this 7 day of OCTOBER, 2010.



Bill L. Veach, Director
Department of Business and
Professional Regulation
Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, Florida 32399-1015

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Certified U.S. Mail to New San Telmo, c/o Mario Szwarc, 16850 Collins Avenue, Sunny Isles Beach, Florida 33160; by regular U.S. Mail to the Honorable Edward T. Bauer, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Marc Drexler, Chief Attorney, Division of Hotels and Restaurants, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, this 22nd day of October, 2010.



For the Division of Hotels
and Restaurants