

FILED
Department of Business and Professional Regulation
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Date 1/18/2011
File # 2011-00470

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

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DIVISION OF
ADMINISTRATIVE
HEARINGS

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

Petitioner,

vs.

Case No. 10-3198PL
FDBPR Case No. 2007-040969

TERRI JOHNSON,

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 December 14, 2010, in Orlando, Orange County, Florida, for the purpose of considering Administrative Law Judge LISA SHEARER NELSON'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 James Harwood, Esquire, Chief Attorney for the Department of Business and

Professional Regulation, Division of Real Estate, Orlando, Orange County, Florida. The Commission was represented by Tom Barnhart, Special Counsel, 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 each party, 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.

5. There is competent, substantial evidence to support the Administrative Law Judge's conclusions of law in Exhibit "A" as amended and adopted by the Commission.

DISPOSITION

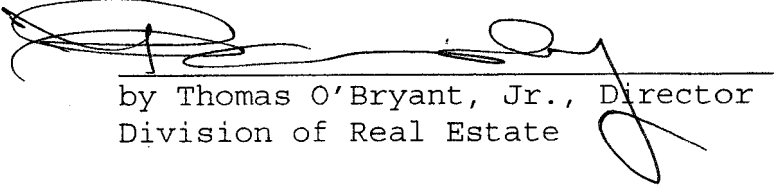
6. The Administrative Law Judge's Recommendation is approved and adopted by the Commission in its entirety.

WHEREFORE, IT IS HEREBY ORDERED and ADJUDGED that:

Respondent Johnson's license is **REVOKED** as of the filing date of this Final Order for violating Sections 475.25(1)(b), 475.25(1)(e), 475.25(1)(k), 475.42(1)(d), F.S., and Rule 61J2-14.009, F.A.C..

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE and ORDERED this 11 day of January, 2011, 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 Lisa Shearer Nelson, Administrative Law Judge, Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway,

Tallahassee, Florida 32399-3060; Terri Johnson, Lowell
Correctional Institution, 11120 NW Gainesville Road, Ocala,
Florida 34482; and by inter-office mail to Tom Barnhart, Special
Counsel, Office of the Attorney General, PL-01, The Capitol,
Tallahassee, Florida 32399-1050, and James Harwood, Esquire, 400
West Robinson Street, Suite N801, Orlando, Florida 32801 on this
18th day of January, 2011.

Brandon M. Nichols