

FILED	
Department of Business and Professional Regulation AGENCY CLERK	
CLERK	Ronda L. Bryan
Date	6/16/2011
File #	2011-04114

**STATE OF FLORIDA
CONSTRUCTION INDUSTRY LICENSING BOARD**

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
Petitioner,

vs.

CASE NO.: 2009-040848
LICENSE NO.: CCC 058307

LINDA R. RATLIFF,
Respondent.

_____ /

FINAL ORDER

THIS MATTER came before the Construction Industry Licensing Board (hereinafter referred to as the "Board") pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on April 14, 2011, in Fernandina Beach, Florida, for consideration of the Recommended Order in the above styled case. Petitioner was represented by Paul Waters, Esquire. Respondent was present with counsel.

Respondent filed Exceptions to the Recommended Order as to the penalty. A copy of those Exceptions is attached to and incorporated by reference. After reviewing the complete record accompanying the Recommended Order, the Recommended Order, the Exceptions, and being fully advised in the premises, the Board hereby adopts the findings of fact, (paragraphs) and conclusions of law, (paragraphs) contained in the Recommended Order. The Board amends the recommendation, removing the 6-month license suspension and ordering the restitution below based on the fact the Administrative Law Judge did not order restitution for the injured consumer in the recommendation. A copy of the

Recommended Order, attached to and made a part hereof, is hereby adopted and incorporated herein, except as modified by this Final Order.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. Respondent shall pay an administrative fine in the amount of \$5,000.00 and investigative costs in the amount of \$325.90. Said fine and costs shall be paid within thirty (30) days after the date of filing of the Final Order.

In addition, the Respondent is required to pay interest on the fine due to the Board at a rate of 18% per annum, beginning on the thirty-first (31st) day after the issuance of the Final Order.

2. To assure payment of the fine, and costs, it is further ordered that Respondent's license to practice contracting shall be suspended with the imposition of the suspension being stayed for thirty (30) days from the date of the filing of the Final Order. If the ordered fine and costs are paid to the Board within the thirty (30) days, the suspension imposed shall not take effect. Upon payment of the fine and costs after the thirty (30) days, the suspension imposed shall be lifted. If the licensee does not pay the fine and costs within said period, then immediately upon expiration of the stay, he shall surrender his license to the Department of Business and Professional Regulation.

3. Respondent shall pay restitution in the amount of \$2,500.00 to Ray and Loretta Noble. Proof of restitution, or acknowledgment of satisfaction must be provided to the Executive Director of the Construction Industry Licensing Board, at P.O. Box 5257, Tallahassee, FL 32314-5257 within thirty (30) days of the date of the filing of the Final Order.

4. A change in licensure status, including the suspension, revocation, voluntary

relinquishment, or involuntary relinquishment of license does not relieve Respondent of the obligation to pay any fines, costs, interest or restitution imposed in this Order.

This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 26th day of May, 2011.



MARK PIETANZA, Chair
Construction Industry Licensing Board

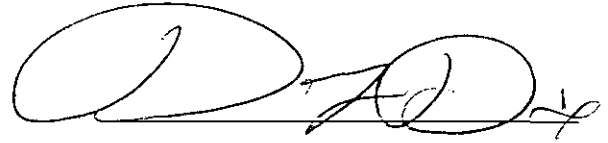
NOTICE OF RIGHT TO JUDICIAL REVIEW

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, FIRST DISTRICT, OR 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: LINDA R. RATLIFF, 2023 Shoreland Drive, Auburndale, Florida 33623; and Kevin Fox, 117 East Lake Avenue, Ste. C, Auburndale, Florida 33823 and by hand/interoffice delivery to the Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, FL 32314-5257; Paul Waters, Esq., Chief Construction Attorney, Office

of the General Counsel, 1940 N. Monroe St., Ste. 60, Tallahassee, Florida 32399-2202,
and Daniel Biggins, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida
32399-1050, on or before 5:00 p.m., this 16th day of June, 2011.

A handwritten signature in black ink, appearing to read "D. Biggins", written over a horizontal line.