

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK Brandon Nichols
Date **4/14/2011**
File # **2011-02656**

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FILED
2011 APR 15 A 11:47
DIVISION OF
ADMINISTRATIVE
HEARINGS

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

Petitioner,

v.

**DOAH Case No.: 10-9845
DBPR Case No.: 2007008810**

KIMBERLY D. CASELLA CAPIELLO,

Respondent.

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FINAL ORDER

THIS CAUSE came before the State of Florida, Department of Business and Professional Regulation ("Department"), for the purpose of considering Administrative Law Judge (ALJ) William F. Quattlebaum's Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled matter. Neither party filed exceptions to the Recommended Order.

After a review of the complete record in this matter, the Department makes the following findings and conclusions:

FINDINGS OF FACT and CONCLUSIONS OF LAW

The ALJ's Findings of Fact as set forth in Exhibit A are approved, adopted and incorporated herein by reference. These findings are supported by competent substantial evidence.

The ALJ's Conclusions of Law as set forth in of Exhibit A are approved, adopted and incorporated herein by reference.

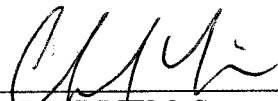
WHEREFORE, IT IS ORDERED AND ADJUDGED THAT:

1. The Findings of Fact, Conclusions of Law, and Recommendation as detailed in the Recommended Order are adopted *in toto*.

2. Respondent shall pay an administrative fine of \$2,500.00, made payable to the Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, within thirty (30) days of the date of the filing of this Final Order with the Agency Clerk.

3. This order shall become effective on the date of the filing with the Department's Agency Clerk.

DONE AND ORDERED this 13th day of APRIL, 2011.



CHARLIE LIEM, Secretary
Department of Business and
Professional Regulation
1940 North Monroe Street
Tallahassee, FL 32399-1011


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 Final Order has been provided via U.S. Mail to: Kimberly D. Casella Capiello, 2903 Conner Lane, Kissimmee, Florida 34741, on this 14th day of April, 2011.

AGENCY CLERK'S OFFICE

By: 
Brandon Nichols, Deputy Clerk

Copies furnished to:

Amy Toman, Informal Hearing Officer

Patrick J. Cunningham, Assistant General Counsel

Juana Watkins, Acting Director

William F. Quattlebaum, ALJ, DOAH, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060