

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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| FILED | |
| <small>Department of Business and Professional Regulation Deputy Agency Clerk</small> | |
| CLERK | Brandon Nichols |
| Date | 8/5/2011 |
| File # | 2011-05302 |

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

Petitioner,

v.

**DOAH Case No.: 10-10496
DBPR Case No.: 2010-001599**

PITA'S RESTAURANT,

Respondent.

_____ /

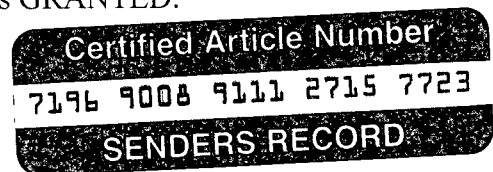
FINAL ORDER

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. Petitioner timely filed Petitioner's Exceptions to Recommended Order, a copy of which is attached hereto as Exhibit B.

After a review of the complete record in this matter, including consideration of the Recommended Order and Petitioner's Exceptions to Recommended Order, the Department makes the following findings and conclusions:

EXCEPTIONS TO RECOMMENDED ORDER

1. Petitioner's Exception #1 was considered and is GRANTED.



FINDINGS OF FACT

2. 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.

CONCLUSIONS OF LAW

3. The ALJ's Conclusions of Law as set forth in Paragraphs 14 through 30 of Exhibit A are approved, adopted and incorporated herein by reference.

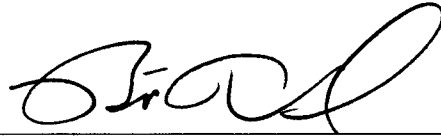
4. Paragraph 31 of Exhibit A is amended as proposed in Paragraph 8 of Exhibit B, for the reasons set forth by the division in Petitioner's Exception #1, which are approved, adopted and incorporated herein by reference. As amended, this conclusion of law is as or more reasonable than that which was modified.

WHEREFORE, IT IS ORDERED AND ADJUDGED THAT:

1. Respondent shall pay an administrative fine of \$1,350.00 made payable to the division of Hotels and Restaurants, 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.

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

DONE AND ORDERED this 05 day of August, 2011.



BILL L. VEACH, Director
Department of Business and
Professional Regulation
Division of Hotels and Restaurants
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: Pita's Restaurant, c/o Rabih Khayat, 8412 West Hillsborough Avenue, Tampa, Florida 33615, on this 5th day of August, 2011.

AGENCY CLERKS OFFICE

By: 
Brandon Nichols, Deputy Clerk

Copies furnished to:

Amy Toman, Informal Hearing Officer

Marc Drexler, Chief Attorney, Hotels & Restaurants

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