

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BOARD

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	9/27/2011
File #	2011-06625

2011 SEP 28 P 12: 20

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

DIVISION OF
ADMINISTRATIVE
HEARINGS

Petitioner,
v.

DBPR CASE NO.: 2009-007125
DOAH CASE NO.: 10-10914AL
LICENSE NO.: RZ 1337

RONALD C. HORMES,

Respondent.

FINAL ORDER

THIS CAUSE came before the FLORIDA REAL ESTATE APPRAISAL BOARD (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, at a duly noticed public meeting on August 2, 2011, in Orlando, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order and Respondent's Exceptions to the Recommended Order. At the hearing in this matter, Respondent was present and represented by Daniel Villazon, Esquire. Petitioner was represented by D. Christine Lindamood, Senior Attorney, and the Board was represented by Mary Ellen Clark, Assistant Attorney General.

Upon review of the Recommended Order, the Exceptions, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions:

RULING ON EXCEPTIONS

The Board reviewed and considered Respondent's Exceptions I – V to the Recommended Order and denied them on the basis that they were not proper exceptions, as provided in Section 120.57(1)(k), Florida Statutes, and on the basis that there is competent and substantial evidence to support the Findings of Fact set forth in the Recommended Order. The Board reviewed and considered Respondent's Exception VI to the Recommended Order and denied it.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent, substantial evidence to support the findings of fact found by the Board.

CONCLUSIONS OF LAW

3. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 475, Part II, Florida Statutes.
4. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
5. There is competent, substantial evidence to support the conclusions of law

adopted by the Board.

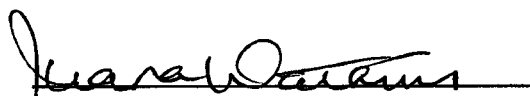
DISPOSITION

Upon a complete review of the record in this case, and based upon review of the transcript at page 160, lines 17-21, the length of time since Respondent's prior discipline, and the degree of financial hardship that would be incurred by Respondent as a result of a suspension of his license, the Board modified and reduced the disposition recommended by the Administrative Law Judge to be as follows:

Respondent violated sections 475.622(1) and 475.624(15), Florida Statutes, and rule 61J1-7.001(2), Florida Administrative Code. Respondent did not violate sections 475.622(2) or 475.624(2), Florida Statutes. Respondent's license shall be suspended for a period of four years followed by two years of probation. Respondent shall pay an administrative fine in the amount of \$5,000.00 by check payable to Florida Department of Business and Professional Regulation, Division of Real Estate, Real Estate Appraisal Board at 400 West Robinson Street, Suite 801N, Orlando, Florida 32801-1757, within one year of the filing of this Final Order.

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

DONE AND ORDERED this 13 day of SEPTEMBER, 2011.


Florida Real Estate Appraisal Board
By Juana Watkins
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, 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 has been furnished by U.S. Mail to: **Daniel Villazon, Esquire**, 1420 Celebration Boulevard, Suite 200, Celebration, FL 34747 ; and to **Susan B. Harrell, Administrative Law Judge**, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060; and by interoffice mail to **James Harwood, Chief Attorney**, Division of Real Estate, 400 West Robinson Street, Suite 801N, Orlando, Florida 32801, and to **Mary Ellen Clark**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; this 27th day of September, 2011.

Brandon M. Nichols