

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

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	3/27/2012
File #	2012-01929

SAMUEL POPPELL,

Petitioner,

vs.

Case No. 11-3809

FLORIDA REAL ESTATE
COMMISSION,

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 January 24, 2012, in Orlando, Orange County, Florida, for the purpose of considering Administrative Law Judge Susan Belyeu Kirkland's Recommended Order in the above styled case. A copy of said Recommended Order is attached hereto and incorporated as Exhibit "A."

Petitioner was not present, and was not represented by counsel. The Commission was represented by Patrick Cunningham, Esquire, Chief Attorney for the Department of Business and Professional Regulation, Division of Real Estate, Orlando, Orange County, Florida.

After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order and arguments, 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 the 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" adopted by the Commission.

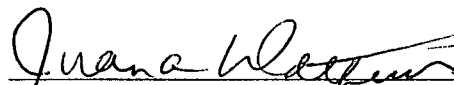
DISPOSITION

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

WHEREFORE, IT IS HEREBY ORDERED and ADJUDGED that:

Petitioner's application for licensure as a real estate sales associate is hereby DENIED. This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE and ORDERED this 20 day of March, 2012, by the Florida Real Estate Commission.



by Juana C. 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 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 Samuel Poppell,
c/o Daniel Villazon, Esquire, 1420 Celebration Boulevard, Suite
200, Celebration, Florida 34747; Susan Belyeu Kirkland,
Administrative Law Judge, Division of Administrative Hearings,
The Desoto Building, 1230 Apalachee Parkway, Tallahassee,
Florida 32399-3060; Darla A. Furst, Chair, Florida Real Estate
Commission, 410 West Robinson Street, Suite N801, Orlando,
Florida 32801-1757; and Tom Barnhart, Special Counsel, Office of
the Attorney General, PL-01, The Capitol, Tallahassee, Florida
32399-1050, on this 27th day of March, 2012.

Brandon M. Nichols