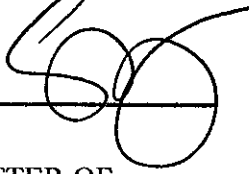


FILED

APR 27 2012

Docketed by



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF

DAVID A. KENNEDY
_____ /

Case No. 120925-11-FM

FINAL ORDER

This cause came on for consideration of and final agency action on the Recommended Order filed on February 16, 2012, by Administrative Law Judge (ALJ) Barbara J. Staros. A copy of that Recommended Order is attached as Exhibit A. On October 11, 2011, David A. Kennedy (Kennedy) received a letter of denial from the Department of Financial Services, Division of State Fire Marshal (Division) indicating he did not pass the Firesafety Inspector Examination Re-Test and that he (Kennedy) would have to retake the course(s) required and submit a new application for approval, and pass the certification examination in order to obtain certification as a firesafety inspector.

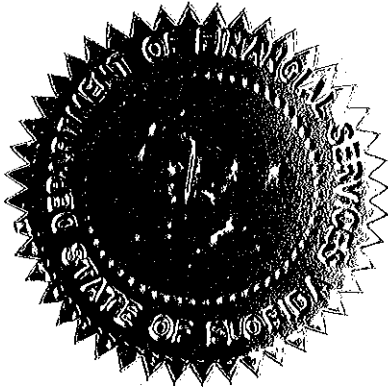
Pursuant to Section 120.57(1), Florida Statutes, a formal hearing was conducted on December 14, 2011, before Administrative Law Judge Barbara J. Staros, in Daytona Beach and Tallahassee, Florida. No exceptions were filed.

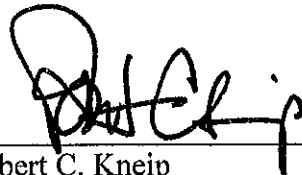
After review of the record, including admitted exhibits, and being otherwise fully apprised in all material premises,

IT IS HEREBY ORDERED that the ALJ's Findings of Fact and Conclusions of Law set forth in the Recommended Order are adopted as the Department's Findings of Fact and Conclusions of Law, and that David A. Kennedy's application for certification as a Firesafety

Inspector is denied, and that David A. Kennedy is required to repeat the required coursework before retaking the Firesafety Inspector certification examination.

DONE and ORDERED this 27th day of April, 2012.




Robert C. Kneip
Chief of Staff

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a petition or notice of appeal Julie Jones, DFS Agency Clerk, Florida Department of Financial Services, 612 Larson Building, Tallahassee, Florida 32399-0390, and a copy of the same with the appropriate District Court of Appeal within thirty (30) days of rendition of this Order.

Copies furnished to:

David A. Kennedy, Petitioner Pro Se
Linje E. Rivers, Esquire (For the Department)
Barbara J. Staros, ALJ