

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	11/22/2013
File #	2013-07127

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

Petitioner,

vs.

Case No. 13-0143PL
FDBPR Case No. 2012-009106

MOUNIR ALBERT EL BEYROUTY,

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 October 15, 2013, in Orlando, Orange County, Florida, for the purpose of considering Administrative Law Judge J. Lawrence Johnston's Recommended Order in the above styled case. A copy of said Recommended Order is attached hereto and incorporated herein as Exhibit "A".

Respondent was present, and was represented by counsel. The Petitioner was represented by Joshua Kendrick, Esquire, for the Department of Business and Professional Regulation, Division of Real Estate, Orlando, Orange County, Florida. The Commission was represented by Tom Barnhart, Special Counsel, Office of the Attorney General, Tallahassee, Leon County, Florida. Respondent filed exceptions to the Recommended Order, but the Commission did not rule on them because Respondent did not satisfy the requirements of Section 120.57(1)(k), F.S., in that Respondent did not provide appropriate and specific citations to the record.

After a review of the record provided in this matter, including consideration of the Administrative Law Judge's Recommended Order and the arguments of each party, 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 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 conclusion 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" as amended and adopted by the Commission.

DISPOSITION

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

WHEREFORE, IT IS HEREBY ORDERED and ADJUDGED that:

- (a) Respondent shall pay a fine of \$2,000.00 by the end of his 1 year suspension period as described below for violating the statutes and rules charged in the Administrative

Complaint, and mail the fine to the Division of Real Estate, Zora Neale Hurston Building, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801.

- (b) Respondent's license is SUSPENDED for 1 year beginning 30 days from the filing date of this Final Order.
- (c) Respondent shall be on probation for 3 years beginning 30 days from the filing date of this Final Order. Respondent shall attend two (2) 2-day FREC meetings in Orlando, Florida within the first two (2) years of his probation period.
- (d) During his suspension period, Respondent shall successfully complete the 30 hour broker licensing course.

DONE and ORDERED this 15 day of November, 2013, by the Florida Real Estate Commission.


by Juanita 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 J. Lawrence Johnston, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; Bruce Robbins, Esquire, 509 S. Martin Luther King, Jr. Avenue, Clearwater, Florida 33756; and by interoffice mail to Joshua Kendrick, Esquire, 400 West Robinson Street, Suite N801, Orlando, Florida 32801, on this 22nd day of November, 2013.


Brandon M. Nichols