

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF MOTORIST SERVICES**

**DOAH CASE NO.: 13-2420
MS CASE NO.: MS-13-572
FINAL ORDER #: HSMV-13- 724 -S-MS**

**DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES, DIVISION
OF MOTOR VEHICLES,**

Petitioner,

v.

**J AND B AUTO SALES AND
BROKERAGE, LLC D/B/A RACEWAY
MOTORS,**

Respondent.

_____ /

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File and Relinquishing Jurisdiction by Todd P. Resavage, an Administrative Law Judge of the Division of Administrative Hearings, pursuant to the Parties' Motion to Relinquish Jurisdiction based on a Settlement Stipulation entered into between the parties, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Order Closing File as its Final Order in this matter.

Accordingly it is **FOUND** and **ORDERED** as follows:

1. That Respondent shall pay an administrative fine in the amount of two hundred fifty dollars (\$250.00) per count for a total of one thousand five hundred dollars (\$1,500.00) to be paid on or before **September 30, 2013**. All payments are to be made by returning a copy of the order with payment to:

Department of Highway Safety and Motor Vehicles
Office of General Counsel
2900 Apalachee Parkway, Room A432, MS-61
Tallahassee, Florida 32399


2. If Respondent pays the amount specified in paragraph one above within the specified time the Department will impose no further penalties or sanctions against Respondent. However, if Respondent fails to pay the amount specified in paragraph one, on the day following the due date specified in paragraph one, Respondent's motor vehicle dealer license will be automatically suspended and Respondent will cease to do business as a motor vehicle dealer.

3. If after suspension Respondent pays the amount specified in paragraph one above within 30 days following the date of suspension, its motor vehicle dealer license will immediately be reinstated without further penalties or sanctions.

4. If Respondent fails to pay the amount due by the 30th day following the date of suspension, on the 31st day following the date of suspension Respondent's motor vehicle dealer license shall be revoked by the Department without further notice. If the Department suspends or revokes Respondent's motor vehicle dealer license for non-payment as specified in paragraphs two and three above, said suspension or revocation shall be without recourse to the Respondent and Respondent hereby expressly waives any right to appeal or otherwise contest the suspension and revocation.

DONE AND ORDERED this 29 day of August, 2013, at Tallahassee,

Leon County, Florida.



Julie Baker, Chief
Bureau of Issuance Oversight
Division of Motorist Services
Department of Highway Safety and
Motor Vehicles
Neil Kirkman Building, Room A338
Tallahassee, Florida 32399

Filed in the official records of the
Division of Motorist Services
this 29 day of August, 2013.


Nalini Vinayak, Dealer License Administrator

NOTICE OF APPEAL RIGHTS

Judicial review of this order may be had pursuant to section 120.68, Florida Statutes, in the District Court of Appeal for the First District, State of Florida, or in any other district court of appeal of this state in an appellate district where a party resides. In order to initiate such review, one copy of the notice of appeal must be filed with the Department and the other copy of the notice of appeal, together with the filing fee, must be filed with the court within thirty days of the filing date of this order as set out above, pursuant to Rule 9.110, Rules of Appellate Procedure.

JB:jdc

Copies furnished:

Cathy Coleman
Regional Administrator

Dealer License Section

Teresa Williams, Esquire
Williams and Trese
12 Southeast 7th Street, Suite 703
Ft. Lauderdale, Florida 33301