

BOARD OF TRUSTEES OF THE CITY  
OF LONGWOOD POLICE OFFICERS' AND  
FIREFIGHTERS' PENSION TRUST FUND

FILED  
OCT 24 AM 11 13  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS  
DOAH CASE NO. 14-0870

JOHN ZEH,

Petitioner,

vs.

BOARD OF TRUSTEES OF THE CITY  
OF LONGWOOD POLICE OFFICERS' AND  
FIREFIGHTERS' PENSION TRUST FUND,

Respondent.

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**FINAL ORDER**

This cause came before the Board of Trustees of the City of Longwood Police Officers' and Firefighters' Pension Trust Fund for final agency action in accordance with section 120.57, Florida Statutes. This dispute was forwarded to the Division of Administrative Hearings on or about February 13, 2014, and an Initial Order was entered on February 21, 2014. By Notice of Hearing dated March 3, 2014, the hearing in this proceeding was scheduled for April 29, 2014, to be held in Longwood, Seminole County, Florida, and did so occur before Administrative Law Judge D.R. Alexander (the "ALJ").

On June 30, 2014, the ALJ entered a Recommended Order finding that Petitioner's acts warranted the forfeiture of Petitioner's right and benefits under the City of Longwood Police Officers' and Firefighters' Pension Trust Fund. The Recommended Order has been forwarded to the Respondent in accordance with section 120.57(1), Florida Statutes, and a copy is attached to and made a part of this Final Order. Neither party has filed exceptions to the Recommended Order.

The Respondent met on October 21, 2014 in Longwood, Seminole County, Florida, to take final agency action. Upon consideration of the Recommended Order, review of the complete record in this proceeding, and being otherwise fully advised in the premises, the Respondent finds and determines as follows:

**FINDINGS OF FACT**

Respondent adopts the Findings of Fact set forth in paragraphs one (1) through thirteen (13) of the Recommended Order.

**CONCLUSIONS OF LAW**

The Respondent adopts the Conclusions of Law set forth in paragraphs fourteen (14) through twenty-eight (28) of the Recommended Order.

**PENALTY**

The Respondent adopts the recommended penalty set forth in the Recommended Order; to wit, that the Respondent's rights and benefits under the Pension Fund be forfeited except for the return of Petitioner's accumulated contributions as of the date of Petitioner's termination or resignation.

**WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED** that the Petitioner's rights and benefits under the Pension Fund be forfeited except for the return of his accumulated contributions as of the date of January 29, 2011.

**DONE AND ORDERED** this 21st day of October, 2014, in Longwood, Seminole County, Florida.

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**Board of Trustees of the City of Longwood Police  
Officers' and Firefighters' Pension Trust Fund**

BY: 

Print Name: MARC MCLARNON

ITS: VICE-CHAIRMAN

**NOTICE OF RIGHT TO APPEAL**

Any party adversely affected by this Final Order may seek judicial review pursuant to section 120.68, Florida Statutes, and Florida Rules of Appellate Procedure 9.030(b)(1)(C) and 9.110. Judicial review shall be sought in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law. All proceedings shall be instituted by filing a notice of appeal or petition for review in accordance with the Florida Rules of Appellate Procedure within 30 days after rendition of the order being appealed.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the Final Order has been furnished via U.S. or electronic mail to the persons named below on this 2nd day of October, 2014.



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**COPIES FURNISHED TO:**

Honorable D.R. Alexander  
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**ATTACHMENT:** Copy of Recommended Order