

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

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>1/28/2016</b>
File #	<b>2016-00723</b>

**DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION, FLORIDA  
REAL ESTATE COMMISSION,**

**Petitioner,**

vs.

**Case No. 14-4148PL  
DBPR Case No. 2012-012585**

**CATHERINE A. LICHTMAN,**

**Respondent.**

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**FINAL ORDER**

**THIS CAUSE** came before the FLORIDA REAL ESTATE COMMISSION ("Commission") on January 19, 2016, in Orlando, Orange County, Florida, for the purpose of considering the Petitioner's Motion for Reconsideration of Final Order previously entered on September 10, 2015. Respondent filed a Notice of Appeal of this Order and the appellate court relinquished jurisdiction to the Commission to enable the Commission to reconsider the September 10, 2015 Final Order. Petitioner represents that certain exhibits that were presented and made part of the record at the formal hearing were not transmitted and presented to the Commission when the Commission considered the Recommended Order and Respondent's Exceptions to the Recommended Order. Respondent does not oppose the Petitioner's Motion for Reconsideration of the Final Order. The Commission GRANTS Petitioner's Motion for Reconsideration and VACATES the Final Order issued on September 10, 2015. The Commission then considered the Administrative Law Judge's Recommended Order.

The Petitioner was represented by Joshua Kendrick, Esquire, Senior Attorney for the Division of Real Estate, Orlando, Orange County, Florida. The Commission was represented by

Tom Barnhart, Special Counsel, Tallahassee, Leon County, Florida. After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order, the hearing transcript and exhibits, the Respondent's Exceptions to the Recommended Order, Petitioner's Response to the Respondent's Exceptions, 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 conclusions of law as set forth in Exhibit "A" are approved, adopted and incorporated herein by reference. There is competent, substantial evidence to support the conclusions of law in the Recommended Order.

### **EXCEPTIONS**

5. Respondent's Exception Number 1 was considered and DENIED.
6. Respondent's Exception Number 2 was considered and DENIED.
7. Respondent's Exception Number 3 was considered and DENIED.
8. Respondent's Exception Number 4 was considered and DENIED.

**DISPOSITION**

9. Upon a complete review of the record, the Commission finds that Respondent violated Section 475.25(1)(d), Florida Statutes, as set forth in the Administrative Complaint.

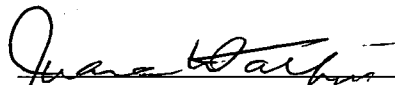
**WHEREFORE**, it is hereby **ORDERED** and **ADJUDGED** that:

1. Respondent is in violation of Section 475.25(1)(d), Florida Statutes;
2. Respondent's license is REVOKED;
3. Respondent shall pay a fine of \$1,000.00 and \$412.50 in costs within 30 days of the filing date of this Final Order.

This Order is effective when filed with the Clerk of the Department of Business and Professional Regulation.

**DONE** and **ORDERED** this 16 day of JANUARY, 2016.

**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, FIRST DISTRICT, OR 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 Robert Resnick, Esquire, P.O. Box 1872, Boca Raton, Florida 33429; F. Scott Boyd, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice mail to Joshua Kendrick, Esquire, 400 W. Robinson Street, Suite 801; North Tower, Orlando, Florida 32801-1757, on this 28<sup>th</sup> day of January, 2016.

Brendan M. Nicks