

FILED

JAN 08 2016

Chief Financial Officer
Docketed by: TRG



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

00525

IN THE MATTER OF:

Case No.: 14-195-D5-WC

AMENGUAL ELECTRIC, INC.
_____ /

FINAL ORDER

THIS CAUSE came before me for final action on Amengual Electric, Inc.'s ("Employer") request for administrative review ("petition") challenging a Stop-Work Order and Order of Penalty Assessment and a 3rd Amended Order of Penalty Assessment.

FINDINGS OF FACT

1. On April 29, 2014, the Department of Financial Services, Division of Workers' Compensation ("Department") served Employer a Stop-Work Order and Order of Penalty Assessment.
2. On June 4, 2014, the Department served an Amended Order of Penalty Assessment on Employer. The amended order assessed a total penalty of \$154,020.37.
3. On June 24, 2014, the Department served a 2nd Amended Order of Penalty Assessment on Employer. The amended order assessed a total penalty of \$69,749.61.
4. On August 1, 2014, the Department served a 3rd Amended Order of Penalty Assessment on Employer. The amended order assessed a total penalty of \$64,136.52.
5. On August 21, 2014, the Department received Employer's petition.
6. On November 9, 2015, Employer withdrew the petition.

7. On December 3, 2015, the Department served Employer a 4th Amended Order of Penalty Assessment. The amended order assessed a total penalty of \$4,386.03. Employer did not request a hearing to contest the 4th amended order.

8. The factual allegations contained in the Stop-Work Order and Order of Penalty Assessment and the 4th Amended Order of Penalty Assessment are adopted as the Department's findings of fact in this case.

CONCLUSIONS OF LAW

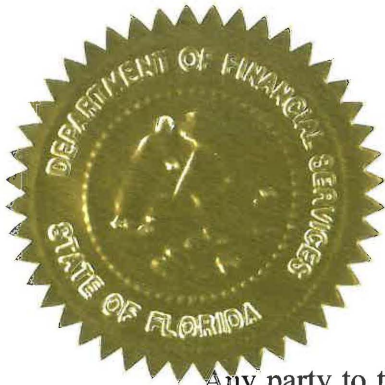
9. Based upon the findings of fact adopted herein, the Department concludes Employer violated the specific statutes and rules as alleged in the Stop-Work Order and Order of Penalty Assessment, Amended Order of Penalty Assessment, 2nd Order of Penalty Assessment, 3rd Order of Penalty Assessment, and the 4th Amended Order of Penalty Assessment.

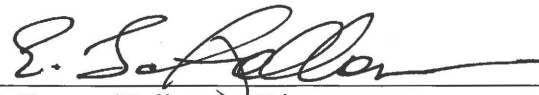
Accordingly:

a. Employer shall immediately execute a payment agreement or pay the penalty of \$4,386.03 in full to the Department for deposit into the Workers' Compensation Administration Trust Fund;

b. Employer shall immediately cease all business operations in the state of Florida until such time as the Department issues an order releasing the Stop-Work Order and the 4th Amended Order of Penalty Assessment. The Department shall not issue an order releasing the Stop-Work Order and the 4th Amended Order of Penalty Assessment until Employer has come into compliance with the coverage requirements of chapter 440, Florida Statutes, and has paid the total penalty of \$4,386.03 to the Department.

DONE AND ORDERED on this 8th day of January, 2016.





E. Tanner Holloman, Director
Division of Workers' Compensation

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Final Order is entitled to seek review of this Final Order pursuant to section 120.68, Florida Statutes (2015), and Florida Rule of Appellate Procedure 9.110. Review proceedings must be instituted by filing a Notice of Appeal with Julie Jones, DFS Agency Clerk, at Room 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida, 32399-0333 and a copy of the same with the appropriate District Court of Appeal within 30 days of rendition of this Order.

COPY FURNISHED TO:

BERNARD AMENGUAL
3851 NW 12TH TERRACE
MIAMI, FL 33126

CLARA MARTINEZ, ESQ.
1410 SW 119TH COURT
MIAMI, FL 33184