

**STATE OF FLORIDA
CONSTRUCTION INDUSTRY LICENSING BOARD**

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	11/29/2016
File #	2016-09247

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,

Petitioner,

vs.

DOAH CASE NO.: 15-7339PL
CASE NO.: 2012-047498
LICENSE NO.: CRC 1328759

ANTONIO L. REQUEJO,

Respondent.

FINAL ORDER

This cause came before the Construction Industry Licensing Board (hereinafter Board), pursuant to sections 120.569 and 120.57(1), Florida Statutes, at a duly noticed public meeting held October 13, 2016, in Melbourne, Florida. The purpose of the cause was for consideration of the Honorable F. Scott Boyd's Recommended Order issued on March 17, 2016 (attached hereto as Exhibit "A"). Petitioner was represented by Sorin Ardelean, Assistant General Counsel. Respondent was not present and not represented by counsel.

APPEARANCES

For Petitioner: Sorin Ardelean, Esquire
Assistant General Counsel
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399

For Respondent: No Appearance

Upon review of the Recommended Order, and having heard argument of the parties and after a review of the complete record in this case, the Board makes the following findings and conclusions:

EXCEPTIONS

1. Neither Respondent nor Petitioner filed Exceptions to the Recommended Order's Findings of Fact.

2. Neither Respondent nor Petitioner filed Exceptions to the Recommended Order's Conclusions of Law.

FINDINGS OF FACT

3. There is competent, substantial evidence to support the Findings of Fact made in the Recommended Order.

4. Accordingly, the Findings of Fact set forth in the Recommended Order are hereby approved, adopted, and incorporated by reference as the Findings of Fact of the Board.

CONCLUSIONS OF LAW

5. The Board has personal and subject matter jurisdiction of this cause pursuant to sections 120.569; 120.57(1); and Chapters 455; 489, Florida Statutes.

6. The Board does not find a more reasonable interpretation of the law than that which was found by the Administrative Law Judge.

7. Accordingly, the Conclusions of Law set forth in the Recommended Order are approved, adopted and incorporated herein by reference.

WHEREFORE, based on the Findings of Facts and Conclusions of Law, the Administrative Law Judge's Recommendation is Approved and Adopted by the Board.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

8. Respondent's license to practice contracting is hereby SUSPENDED for a period of six (6) months.

9. Following the period of suspension, Respondent is hereby placed on PROBATION for six (6) years, with twelve (12) satisfactory appearances with the following conditions:

a. Respondent is required to appear before the Probation Committee of the Board at such times as directed by the Board Office, approximately every six (6) months. Respondent's first probationary appearance requires a full day attendance at the Board meeting. In connection with each probation appearance, Respondent shall answer questions under oath. In addition, Respondent shall provide such other information or documentation as is requested by either the Petitioner, Department, the Board or the Probation Committee. Respondent shall forward said documentation to the Board at least 30 days in advance of the probation appearance or as otherwise directed.

b. The burden shall be solely upon Respondent to remember the requirement for said appearance and to take the necessary steps in advance of said appearance to contact the Board office and ascertain the specific time, date, and place of said appearance. Respondent shall not rely on notice of said appearance from the Board or the Department.

c. Should Respondent violate any condition of the probation, it shall be considered a violation of Section 489.129(1)(i), Florida Statutes, and shall result in further disciplinary action by the Board.

d. Should the Respondent fail to make a satisfactory appearance as determined by the Board, the term of the probationary period shall automatically be extended by six (6) months, with 1 additional satisfactory appearance required. If there occurs a second such failure then the term

of probationary period will be extended an additional year, with 2 additional satisfactory appearances required. Should the Board determine a third failure of the Respondent to make a satisfactory appearance, the stay of suspension of the Respondent's license to practice contracting shall be lifted and the license shall remain in suspended status unless and until a further stay is granted by the Board.

e. Should Respondent's license to practice contracting be suspended or otherwise placed on inactive status, the probation period shall be tolled during the period of the suspension or inactivity and shall resume running at the time the suspension is stayed or Respondent reactivates the license and Respondent shall serve the time remaining on the term of probation.

f. To ensure successful completion of probation, Respondent's license to practice contracting shall be suspended for the period of probation, with the suspension stayed for the period of probation. The time of the suspension and the stay shall run concurrently with the period of probation. If Respondent successfully completes probation, the suspension shall terminate. If Respondent fails to comply with the requirements set forth in the Final Order imposed in this case, or fails to make satisfactory appearances as determined by the Board, the stay shall be lifted. Once the stay is lifted, the license shall remain in suspended status unless and until a further stay is granted by the Board.

10. Respondent shall pay an administrative fine in the amount of \$7,000.00. Said fine shall be paid within thirty (30) days after the date of filing of the Final Order. Payments should be made payable to the "Department of Business and Professional Regulation," and sent to the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039. To ensure proper credit, the Respondent's name, case number, and reason for payment should be included.

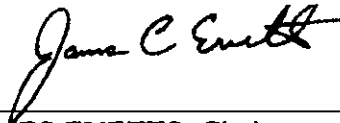
In addition, the Respondent is required to pay interest on the fine due to the Board at a rate of 18% per annum, beginning on the thirty-first (31st) day after the issuance of the Final Order.

11. Respondent shall pay restitution in the amount of \$3,500.00 to Carmen Goehrig. Proof of restitution, or acknowledgment of satisfaction must be provided to the Executive Director of the Construction Industry Licensing Board, at P.O. Box 5257, Tallahassee, FL 32314-5257 within thirty (30) days of the date of the filing of the Final Order.

12. A change in licensure status, including the suspension, revocation, voluntary relinquishment, or involuntary relinquishment of license does not relieve Respondent of the obligation to pay any fines, costs, interest or restitution imposed in this Order.

This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 29th day of November, 2016.



JAMES EVETTS, Chair
Construction Industry
Licensing Board

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: ANTONIO L. REQUEJO, 11826 B Miramar Pkwy., Miramar, FL 33025, F. Scott Boyd, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Pkwy., Tallahassee, FL 32399-3060; and by hand/interoffice delivery to the Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039; Ian Brown, Chief Construction Attorney, Office of the General Counsel, 2601

Blair Stone Road, Tallahassee, Florida 32399-1039, and Rachel W. Clark, Assistant Attorney
General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, this 29th day of
November, 2016.

Brandon M. Nichols