

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF CHILDREN AND  
FAMILIES,

Petitioner,

vs.

Case No. 16-0072

TEDDY AND KATHLEEN ARIAS,

Respondents.

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RECOMMENDED ORDER

This case came before Administrative Law Judge Darren A. Schwartz of the Division of Administrative Hearings for final hearing by video teleconference on March 11 and 30 and April 26, 2016, at sites in Tallahassee and Port St. Lucie, Florida.

APPEARANCES

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For Respondent: Reginald B. Sessions, Esquire  
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STATEMENT OF THE ISSUE

Whether Respondents' renewal foster home license application should be denied based upon allegations that Respondents violated

a foster child's safety plan, refused to sign a corrective action plan, and refused to work in partnership with Petitioner.

PRELIMINARY STATEMENT

By letter titled "Administrative Complaint with Notice of Intent to Deny a License," dated November 12, 2015, Petitioner, Department of Children and Families ("DCF"), notified Respondents of the denial of their renewal foster home license application. Respondents timely filed a request for a formal hearing. Subsequently, on January 8, 2016, DCF referred the matter to the Division of Administrative Hearings ("DOAH") to assign an Administrative Law Judge to conduct the final hearing. On January 20, 2016, the undersigned set the final hearing for March 11, 2016.

The final hearing commenced as scheduled on March 11, 2016. The hearing recommenced on March 30, 2016, and concluded on April 26, 2016. At the hearing, DCF presented the testimony of Concepcion Robles Alvarado, Anthony Garcia, Linda Green, Fedsheena Estriplet, Thomas Centinaro, Jr., Virginia Ann Snyder, Rhoda Cantor, Deborah Soares, Leslie Serena, Veronica Montgomery-Roper, and Aaron Gentry. DCF's Exhibits 1 through 5, 5A, 6 through 9, 11, and 12 were received into evidence. Respondents presented the testimony of Allissa Neilson, Patricia Decombry, Madge Brathwaite, Selma Jerome, Karen Thomas, Kathleen Arias, and

Kenneth Strout. Respondents did not offer any exhibits into evidence.

At the final hearing, the undersigned granted DCF's unopposed request for official recognition of sections 120.60 and 409.175(9)(a) and (b)1. and 2., Florida Statutes; Florida Administrative Code chapter 28-106 and Florida Administrative Code Rules 65C-13.034(4) and 65C-13.035(4); and DCF Operating Procedure Number 175-88.<sup>1/</sup>

Two volumes of the final hearing Transcript from the March 11, 2016, hearing were filed at DOAH on March 30, 2016. A third volume of the final hearing Transcript from the March 30, 2016, hearing was filed at DOAH on April 13, 2016. The fourth volume of the final hearing Transcript from the April 26, 2016, final hearing was filed at DOAH on May 11, 2016. The parties timely filed proposed recommended orders, which have been considered in the preparation of this Recommended Order.

Unless otherwise stated, all statutory and rule references are to the statutes and rules in effect at the time of the alleged violations.

#### FINDINGS OF FACT

##### The Parties

1. DCF is the state agency responsible for licensing foster care parents and foster homes pursuant to section 409.175, Florida Statutes. DCF administers foster care programs by

contracting with third-party private entities. In Circuit 19, which is the geographic area encompassing Port St. Lucie, DCF has contracted with Devereux Community Based Care ("Devereux") to be the "lead agency" to provide the majority of child services. Devereux, in turn, has subcontracted with Camelot Community Care ("Camelot"), which is licensed as a child placement agency.

2. Respondents, who are husband and wife, are foster care parents in a foster care home licensed by DCF.

3. At all times material hereto, Mr. and Mrs. Arias have fostered children at their home in Port St. Lucie.

4. Respondent, Kathleen Arias ("Mrs. Arias"), does not work outside the foster home. She is a "stay-at-home" foster mom. Over the past 16 years, Mrs. Arias has fostered many children. Mrs. Arias is very loving to the foster children in her care, and she has provided a great benefit to the foster children in her care.<sup>2/</sup>

Kenneth Strout's Prior History of Sexually Inappropriate Behaviors

5. Kenneth Strout ("Kenneth"), who recently turned 18 years old, was placed into Respondents' foster home in 2013.

6. Prior to his placement in Respondents' home, Kenneth engaged in inappropriate sexual behaviors. As a therapeutic foster child in Respondents' home, Kenneth received therapeutic services, including therapy, psychiatric services, support, and

therapeutic parenting by a trained therapeutic foster parent, Mrs. Arias.

7. Despite receiving therapeutic services, Kenneth continued to engage in inappropriate sexual behaviors while living in Respondents' home. During the time in which Kenneth lived in the home, he had a history of sexually touching others, exposing himself, and masturbating in close proximity to others.

8. On one particular occasion on September 17, 2014, Kenneth was sitting on the couch watching television, and Mrs. Arias' sister walked in the room. While she had her back to Kenneth, he dropped his pants, exposed himself to her, and pressed his penis against her buttocks.

#### The Applicable Safety Plan Requirements

9. As a result of this incident, an updated safety plan was developed.<sup>3/</sup>

10. The safety plan was signed by Mrs. Arias on October 8, 2014. Mrs. Arias reviewed the safety plan and is aware of the requirements of the safety plan. Specifically, the safety plan requires, in pertinent part: "Client needs to be within eyesight and earshot of a responsible adult, who is aware of and will enforce the safety plan at all times."

#### The May 28, 2015, Incident at LA Fitness and its Aftermath

11. Against this backdrop, on May 28, 2015, at approximately 8:00 p.m., Mrs. Arias took Kenneth, who was 17

years old at the time, to LA Fitness, a gym facility in Port St. Lucie. Mrs. Arias had a membership at LA Fitness and frequented the facility on a regular basis.

12. Despite Ms. Arias' knowledge of Kenneth's inappropriate sexual propensities, Kenneth often accompanied Mrs. Arias to the facility, where he would play basketball on an indoor basketball court, while Mrs. Arias exercised in another area at the facility.

13. During the evening of May 28, 2015, Kenneth had been playing basketball on the indoor basketball court. He left the basketball court and approached Mrs. Arias and told her that he needed to use the bathroom. Mrs. Arias gave Kenneth permission to go to the bathroom.

14. The men's restroom is located inside the men's locker room. At this point, Kenneth walked toward the men's locker room, and entered the men's locker room through the door leading from a hallway into the men's locker room.

15. Mrs. Arias did not go into the men's locker room with Kenneth, nor was Kenneth accompanied by an adult when he entered the men's locker room.

16. Once Kenneth entered the men's locker room, he walked to the other end of the locker room to another door, which led to the Jacuzzi area.

17. Kenneth then opened the door from the men's locker room leading to the Jacuzzi area. At this point, Kenneth observed a female, Concepcion Alvarado, sitting alone in the Jacuzzi. Ms. Alvarado was in her swimsuit.

18. At this point, Ms. Alvarado was relaxing in the Jacuzzi with her eyes closed. After observing Ms. Alvarado for a moment, Kenneth stripped down to his boxer shorts, entered the Jacuzzi, and inappropriately touched Ms. Alvarado on her leg. Upon realizing that somebody touched her leg, Ms. Alvarado opened her eyes, saw Kenneth in front of her, and said to him: "What are you doing, little boy?" "Just get out of my way, or do your own stuff."

19. Kenneth then touched Ms. Alvarado on her shoulder. At this point, Ms. Alvarado became very angry and said to Kenneth: "Why are you touching me? You're not supposed to do that." "Just get out." Kenneth smiled at Ms. Alvarado as Ms. Alvarado exited the Jacuzzi. Ms. Alvarado then entered the nearby pool. Kenneth followed Ms. Alvarado and jumped in the pool as well.

20. Ms. Alvarado recognized Kenneth because he had engaged in similar inappropriate sexual behavior a week earlier. On the prior occasion, Kenneth and Ms. Alvarado were in the Jacuzzi when Kenneth tried to kiss her and touched her leg. Ms. Alvarado did not report the prior incident.

21. However, Ms. Alvarado reported the May 28, 2015, incident to an LA Fitness employee. Shortly thereafter, law enforcement officers arrived at the facility and arrested Kenneth. Kenneth was taken to a juvenile detention facility where he spent the night.

22. Kenneth was not within eyeshot or earshot of Mrs. Arias or another responsible adult once he entered the men's locker room on May 28, 2015. Kenneth was not within eyeshot or earshot of Mrs. Arias or another responsible adult when the inappropriate physical contact perpetrated by Kenneth against Ms. Alvarado in the Jacuzzi on May 28, 2015, occurred.

23. The persuasive and credible evidence adduced at hearing establishes that Respondents violated the October 2014 safety plan by failing to ensure that Kenneth was within earshot and eyeshot of a responsible adult at all times when he was at LA Fitness. Had Kenneth been within eyeshot and earshot of a responsible adult at all times on May 28, 2015, while he was at LA Fitness, the incident in the Jacuzzi with Ms. Alvarado would not have occurred.<sup>4/</sup>

24. Notably, given Kenneth's history of sexually inappropriate behaviors, Mrs. Arias knew that she was taking a risk to the public in bringing Kenneth to LA fitness because it was an environment that could be problematic for him.



25. At hearing, Ms. Linda Green, a licensed clinical social worker formerly employed by Camelot, persuasively and credibly explained the difficulties she and Mrs. Arias faced in their efforts to deal with Kenneth's sexually inappropriate behaviors. According to Ms. Green, a true bond developed between Mrs. Arias and Kenneth. Kenneth referred to Mrs. Arias as "mom," and he felt like she was his mother.

26. In an attempt to keep the family unit intact, Ms. Green wanted significant "client-directed therapy" and "advocation because the client should have the right to control their life." On the other hand, Ms. Green was concerned about keeping society safe from Kenneth. In hindsight, Ms. Green candidly admitted at hearing that Kenneth "probably needed institutionalization sooner."

27. Mrs. Arias recognized her inability to control Kenneth's sexually inappropriate behaviors and the danger he posed to society prior to the May 28, 2015, incident. Prior to the May 28, 2015, incident, Mrs. Arias requested that Kenneth be placed on a "30-Day Notice." Kenneth was on a "30-Day Notice" when the incident at the gym on May 28, 2015, occurred. Nevertheless, Kenneth remained in the Respondents' home as of the May 28, 2015, incident at the gym because Devereux was having difficulty finding a new placement, and Mrs. Arias agreed to keep

Kenneth in the home until after the end of the school year. The school year ended the first week of June.

28. Kenneth never returned to Respondents' home after the May 28, 2015, incident at LA Fitness. Instead, Kenneth was discharged from the foster care program, and placed in a group facility where he has resided ever since. It is anticipated that Kenneth will remain in the group facility until he is 23 years old.

29. Following the incident at the LA Fitness gym on May 28, 2015, DCF undertook an investigation. As a result of its investigation, DCF concluded that the safety plan was violated because Kenneth was not within earshot or eyeshot of a responsible adult when the incident at the gym on May 28, 2015, occurred. DCF's investigation resulted in a verified finding of abuse against Respondents based on inadequate supervision.

30. Based on DCF's verified finding of abuse based on inadequate supervision, a corrective action plan was required by administrative rule and prepared for Respondents to execute.

31. A corrective action plan is a document which identifies issues of concern to DCF and how DCF, as an agency, can work together with the foster parent to improve the foster parent's performance. A corrective action plan serves as a supportive intervention and is not punitive in nature. Respondents refused to execute the corrective action plan because they were concerned

that, in doing so, they would admit DCF's investigative finding of abuse based on inadequate supervision.

32. The persuasive and credible evidence adduced at hearing establishes that Respondents refused to execute the corrective action plan.

33. The persuasive and credible evidence adduced at hearing fails to establish that Respondents failed to work in partnership with DCF.<sup>5/</sup>

34. Respondents' foster care license was due to expire on October 18, 2015.

35. After the May 28, 2015, incident occurred, DCF placed another child under Respondents' care.

36. Regardless of the incident at LA Fitness on May 28, 2015, DCF intended to re-license Respondents. DCF intended to renew Respondents' foster care license after the May 28, 2015, incident despite the verified finding of inadequate supervision. DCF was unable to re-license Respondents because they failed to execute the corrective action plan required by rule. Had Respondents executed the corrective action plan required by DCF, Respondents' foster care license would have been renewed.

#### CONCLUSIONS OF LAW

37. DOAH has jurisdiction over the subject matter and parties pursuant to sections 120.569 and 120.57(1), Florida Statutes (2015).

38. In the instant case, Respondents have applied for the renewal of their foster care license and challenge DCF's decision to deny the renewal license application.

39. A license to operate a foster home is "issued to a family foster home or other facility and is not a professional license to an individual." § 409.175(2)(f), Fla. Stat. A foster home license "does not create a property right in the recipient." Id. A foster home license is "a public trust and a privilege, and is not an entitlement." Id.

40. Generally, the applicant for licensure has the burden of proof to demonstrate, by a preponderance of the evidence, that it satisfies the requirements for licensure and is entitled to receive the license. Dep't of Banking & Fin. v. Osborne Stern & Co., 670 So. 2d 932, 934 (Fla. 1996); M.H. v. Dep't of Child. & Fam. Servs., 977 So. 2d 755, 762 (Fla. 2d DCA 2008).

41. However, in the instant case, it is undisputed that DCF did not base its licensing decision on anything having to do with the renewal application itself. Rather, DCF based its licensing decision on specific instances of alleged wrongdoing by Respondents. Accordingly, the burden in this particular proceeding belongs to DCF to establish, by a preponderance of the evidence, that Respondents committed the acts upon which it relies for its decision to deny the renewal license. Osborne, 670 2d at 934; M.H., 981 So. 2d at 762.<sup>6/</sup>

42. DCF's denial of Respondents' renewal license is based on section 409.175(9), Florida Statutes. Section 409.175(9) provides, in pertinent part, as follows:

(9)(a) The department may deny, suspend, or revoke a license.

(b) Any of the following actions by a home or agency or its personnel is a ground for denial, suspension, or revocation of a license:

1. An intentional or negligent act materially affecting the health or safety of children in the home or agency.

2. A violation of the provisions of this section or of licensing rules promulgated pursuant to this section.

43. Florida Administrative Code Rule 65C-13.034 is titled Foster Care Referrals and Investigations. Rule 65C-13.034(4) provides as follows:

(4) Investigations. When the supervising agency or regional licensing authority is notified of an investigation a staffing shall be coordinated according to local protocol. If licensing violations are found which do not pose an immediate threat to the health, safety or well-being of the child, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

44. Rule 65C-13.035(4) further provides as follows:

(4) Administrative Action for Existing Family Foster Homes.

\* \* \*

(b) If licensing violations are found which do not pose an immediate threat to the health, safety or welfare of the children, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(c) Written notification shall be sent to the licensed out-of-home caregiver that specifies the deficiency, expected corrective action, time frame for completion, and that failure to comply within the time frame specified shall result in the license being suspended, denied, or revoked. The approved corrective action plan shall be put in writing by the supervising agency and signed by the licensed out-of-home caregiver.

\* \* \*

(e) Failure of the licensed out-of-home caregiver to timely comply with the corrective action plan may result in suspension, denial of re-licensure, or revocation of the license.

\* \* \*

(g) If the licensed out-of-home caregiver disagrees with the supervising agency's recommendations, he or she may still request renewal of the license. The supervising agency shall accept the application and refer the licensed out-of-home caregiver's file to the Regional Licensing Authority with a recommendation for denial.

45. As detailed above, Respondents violated the safety plan by failing to supervise Kenneth at LA Fitness on May 28, 2015.

However, a violation of the safety plan is not a violation of an agency rule or statute. Moreover, DCF failed to prove that Respondents' violation of the safety plan on May 28, 2015, was an intentional or negligent act materially affecting the health or safety of children in the home or agency. Accordingly, DCF failed to prove, by a preponderance of the evidence, that Respondents violated sections 409.175(9)(b)1. and 2. with respect to their violation of the safety plan.

46. As detailed above, Respondents violated an agency rule by refusing to execute the corrective action plan, which was required by law to be executed by Respondents because of the verified finding of abuse based on negligent supervision. Accordingly, DCF proved, by a preponderance of the evidence, that Respondents violated section 409.175(9)(b)2. by failing to execute the corrective action plan. However, DCF failed to prove, by a preponderance of the evidence, that Respondents violated section 409.175(9)(b)1., by failing to execute the corrective action plan.

47. As detailed above, DCF failed to prove, by a preponderance of the evidence, that Respondents failed to work in partnership with DCF.

48. Turning to whether Respondents' foster care license should be renewed, the undersigned is persuaded by the recommended and final orders rendered in the case of Department

of Children and Family Services v. S.H., Case No. 07-2327, 2007 Fla. Div. Admin. Hear. LEXIS 548 (Fla. DOAH October 3, 2007; Fla. DCFS February 13, 2008).

49. In S.H., there was a verified abuse report indicating that the Respondent had struck a child with a hand or belt when the child had a bowel movement on the floor during attempted potty training, and subjected the child to mental harm by calling the child derogatory names. Based on the verified abuse report, the Boys Home Association and DCF recommended that the Respondent execute a corrective action plan involving training in appropriate parenting and discipline skills. The Respondent refused to execute the corrective action plan, believing that it would be an admission of guilt. DCF then sought to revoke the foster care license because the Respondent failed to execute the corrective action plan.

50. Following the formal administrative hearing, the Honorable P. Michael Ruff found that there was evidence of abuse with regard to the child at issue. Id. at \*8. However, given the lengthy period of good foster care provided by the Respondent and DCF's position that revocation would not be indicated if the corrective action plan was executed by the Respondent, Judge Ruff found that revocation of the Respondent's license was not warranted. Id. Instead, Judge Ruff recommended that, based on the totality of the circumstances, a final order be issued by DCF



placing the Respondent's foster care license in probationary status, contingent on the Respondent completing a corrective action plan, which embodies classes or education in proper parenting skills and the appropriate discipline of children of all relevant ages. Id. at \*8-10.

51. DCF, in its Final Order, stated the following:

The license that is the subject of this proceeding either has, or shortly will, expire as a result of the passage of time while this proceeding has been pending. If respondent desires to continue as a licensed foster parent, she should submit a renewal application. The Department shall evaluate the renewal application and shall not rely on the events described in this proceeding as a basis for denying the license. If respondent is otherwise qualified, the Department shall issue a provisional license for six months, during which time respondent shall, in cooperation with the community-based care foster care agency, agree to and complete a corrective action plan as described in paragraph five of the Recommended Order. If respondent declines to participate in such an arrangement, or fails to complete the plan requirements, the provisional license shall not be replaced with a regular license or renewed.

52. Similarly, in the instant case, given the lengthy period of good foster care provided by Mrs. Arias and the fact that DCF would have renewed Respondents' foster care license had Respondents executed the corrective action plan, non-renewal of Respondents' licensure renewal application is not warranted. Rather, based on the totality of the circumstances, Respondents'

license should be placed on provisional status until Respondents execute the corrective action plan. Upon execution of the corrective action plan, Respondents' renewal application should be granted.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED that a final order be issued by the Department of Children and Families placing Respondents' foster care license in provisional status for six months, during which time Respondents shall execute the corrective action plan. If Respondents decline to execute the corrective action plan within six months, the provisional license will not be replaced with a regular license or renewed.<sup>7/</sup>

DONE AND ENTERED this 3rd day of June, 2016, in Tallahassee, Leon County, Florida.



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DARREN A. SCHWARTZ  
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Filed with the Clerk of the  
Division of Administrative Hearings  
this 3rd day of June, 2016.

## ENDNOTES

<sup>1/</sup> Operating Procedure 175-88 was filed at DOAH on March 10, 2016.

<sup>2/</sup> During the week, Respondent, Teddy Arias ("Mr. Arias") works and lives in Broward County, Florida. Mr. and Mrs. Arias see each other only on the weekends.

<sup>3/</sup> A safety plan is a document that provides guidelines for keeping the client safe. In the instant case, the document was created to require a certain level of supervision over Kenneth in an effort to keep society safe from Kenneth.

<sup>4/</sup> Although DCF presented persuasive and credible evidence that Respondents violated the safety plan by failing to ensure that Kenneth was within earshot and eyeshot of a responsible adult at all times when he was at LA Fitness, DCF failed to present persuasive and credible evidence that Respondents' violation of the safety plan was an intentional or negligent act materially affecting the health or safety of children in the home or agency.

<sup>5/</sup> DCF relies on a Partnership Plan in support of its contention that Respondents failed to work in partnership with DCF. On August 24, 2013, Respondents executed a Partnership Plan for Children in Out-of-Home Care. The Partnership Plan is not an agency rule. Rather, it is a document setting forth general aspirational goals of the community-based care agency and the foster parents. In its proposed recommended order, DCF relies on section 4 of the Partnership Plan. Although section 4 of the Partnership Plan requires that caregivers provide "appropriate supervision" to children in their care, the precepts set forth in the Partnership Plan are so general and obviously aspirational as to be of little practical use in defining the parameters of what could constitute inappropriate supervision.

<sup>6/</sup> Whether the burden of proof in a licensure renewal proceeding is clear and convincing or a preponderance of the evidence is unsettled in court and DOAH decisions. See Coke v. Dep't of Child. & Fam Servs., 704 So. 2d 726 (Fla. 5th DCA 1998) (affirming final order rendered by DCF denying an application for renewal of a family day care license. DCF agreed that it had the burden of proving the applicant's lack of entitlement to renewal of the family day care license by clear and convincing evidence, where the denial was based on an injury to a child in the day care center.); Kirk Ziadie v. Dep't of Bus. & Prof'l Reg., Case No.

15-5037, 2015 Fla. Div. Adm. Hear. LEXIS 471 (Fla. DOAH Nov. 25, 2015); Ag. for Pers. With Disab. v. Daniel Madistin, LLC #1, Case No. 15-2422FL, 2015 Fla. Div. Adm. Hear. LEXIS 468 (Fla. DOAH Nov. 25, 2015).

Notably, in the instant case, neither party raised the issue of whether the appropriate burden of proof is on DCF to establish the alleged conduct by clear and convincing evidence. In fact, in their pre-hearing stipulation filed on February 29, 2016, the parties stipulated that DCF has the burden to prove the alleged conduct by a preponderance of the evidence.

The undersigned is not bound by the parties' pre-hearing stipulation on an issue of law. Moreover, the question of the appropriate burden of proof is not an issue within the agency's area of expertise.

Upon receipt of the parties' pre-hearing stipulation, the undersigned scheduled a telephone status conference with counsel for the parties. The status conference was held on March 9, 2016, with counsel for both parties participating in the conference. During the status conference, the undersigned indicated the unsettled area of the law pertaining to the appropriate burden of proof and invited the parties to address the issue in their proposed recommended orders. In their proposed recommended orders, the parties agree that the appropriate burden is by a preponderance of the evidence.

Notably, in M.H., the court did not have an occasion to specifically address whether the stricter clear and convincing evidence burden applied to the denial of a renewal license based on specific instances of misconduct. Rather, because the day care facility prevailed before the ALJ in that case and no issue was raised as to whether the burden was clear and convincing, the court needed only to address that the correct standard is no less than preponderance of the evidence.

The undersigned's conclusion that DCF bears the burden of proof, in the instant case, to establish the alleged conduct by a preponderance of the evidence, should not be read as a definitive ruling that in all non-renewal licensure cases, the preponderance of the evidence standard applies.

Indeed, the timing of the Administrative Complaint with Notice of Intent to Deny a License could militate in favor of a clear and convincing standard. DCF waited until after Respondents' license expired to issue the Administrative

Complaint with Notice of Intent to Deny a License. The Administrative Complaint with Notice of Intent to Deny a License seeks to impose the ultimate penalty of non-renewal, only, although the events giving rise to the Administrative Complaint with Notice of Intent to Deny occurred many months earlier while Respondents were duly licensed and acting in their capacity as a licensee. Had DCF not waited until after the expiration of the license to take action, and instead, filed an administrative complaint seeking either the penalty of a fine or revocation, there would be no question that the burden of proof on DCF in such a proceeding would be by clear and convincing evidence.

Nevertheless, whether the burden in this case is by a preponderance of the evidence or clear and convincing evidence is of no consequence because the outcome would be the same.

<sup>7/</sup> The corrective action plan planned completion dates will, of course, need to be extended in light of the period of time which has elapsed since Respondents refused to execute the plan.

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NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.