

**STATE OF FLORIDA**  
**DEPARTMENT OF TRANSPORTATION**  
Haydon Burns Building  
605 Suwannee Street  
Tallahassee, Florida

DALLAS COUNCIL, d/b/a AAMCO  
TRANSMISSION OF VENICE,

Petitioner,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

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DOAH CASE NO. 16-0522

DOT CASE NO. 15-041

**FINAL ORDER**

This proceeding was initiated by a request for administrative hearing filed on May 15, 2015, by Petitioner, Dallas Council, d/b/a AAMCO Transmission of Venice (AAMCO). The request was filed in response to the Department denying AAMCO's request for additional relocation benefits.

**FINDINGS OF FACT**

1. On April 21, 2015, the Department notified AAMCO that its appeal for additional relocation benefits were denied due to requesting claims that exceeded the maximum for re-establishment expenses, requesting ineligible moving expenses, and failure to provide proof of payment.

2. On May 15, 2015, the Department received a Request for Administrative Hearing from AAMCO, alleging that AAMCO's expenses had not exceeded the maximum for re-establishment expenses and that its moving expenses are eligible and should be reimbursed. This request was given FDOT Case No. 15-041.

3. AAMCO's claims was for \$25,000.00 in additional re-establishment expenses and \$449,802.69 in additional moving expenses associated with the acquisition of a parcel off of US 41 Bypass South, in Venice, Florida, in which AAMCO was a tenant and was required to move.

4. This matter was referred to the Division of Administrative Hearings (DOAH) on January 29, 2016, and the matter was assigned DOAH Case No. 16-0522.

5. Prior to the matter being heard by the Administrative Law Judge, the parties agreed to resolve the matter on mutually agreeable terms. On June 28, 2016, DOAH issued an Order Closing the file and relinquishing jurisdiction to the Department.

6. The Department and AAMCO have agreed to amicably resolve all pending matters without the necessity of an administrative hearing under the terms set forth in this Stipulation.

### **CONCLUSIONS OF LAW**

The Department has jurisdiction over the subject matter of and the parties to this proceeding pursuant to Chapter 120 and Section 421.55, Florida Statutes, and Chapter 28-106, Florida Administrative Code.


### **ORDER**

Based on the above Findings of Fact and Conclusions of Law, it is

**ORDERED** that the Department agrees to pay AAMCO a total amount of \$58,095.67 in relocation benefits which resolves any and all outstanding claims for relocation expenses related to the move from the property with an address of 252 US 41 Bypass South, Venice, Florida 34285, in which AAMCO was a tenant when it was acquired by the Department in 2013. It is further

**ORDERED** that the request for administrative hearing, as filed by AAMCO on May 15, 2015,  
is **DISMISSED**.

<sup>1700</sup>  
**DONE and ORDERED** this day of August, 2016.

  
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**JIM BOXOLD**  
Secretary  
Department of Transportation  
Haydon Burns Building  
605 Suwannee Street  
Tallahassee, Florida 32399

FILED D.O.T. CLERK  
2018 AUG 17 PM 12:45

**NOTICE OF RIGHT TO APPEAL**

**THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULES 9.110 AND 9.190, FLORIDA RULES OF APPELLATE PROCEDURE, BY FILING A NOTICE OF APPEAL CONFORMING TO THE REQUIREMENTS OF RULE 9.110(d), FLORIDA RULES OF APPELLATE PROCEDURE, BOTH WITH THE APPROPRIATE DISTRICT COURT OF APPEAL, ACCOMPANIED BY THE APPROPRIATE FILING FEE, AND WITH THE DEPARTMENT'S CLERK OF AGENCY PROCEEDINGS, HAYDON BURNS BUILDING, 605 SUWANNEE STREET, M.S. 58, TALLAHASSEE, FLORIDA 32399-0458, WITHIN 30 DAYS OF RENDITION OF THIS ORDER.**

Copies furnished to:

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