

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>8/12/2016</b>
File #	<b>2016-06196</b>

FRANCESCO RICCHI

Petitioner,

DOAH Case No.: 16-0854

DBPR Case No.: 2015052940

v.

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF FLORIDA CONDOMINIUMS,  
TIMESHARES, AND MOBILE HOMES,

Respondent.

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**FINAL ORDER**

Respondent, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes (hereinafter the "Division"), enters this Final Order adopting the Recommended Order issued by Administrative Law Judge Cathy M. Sellers on July 18, 2016.

On January 6, 2016, the Division issued a Notice of Intent to Deny License Application, alleging that Petitioner's license application should be denied for failure to furnish proof satisfactory to the Division that he is of good moral character pursuant to section 326.004(6)(a), Florida Statutes. Petitioner timely requested a formal hearing to dispute the Division's intent to deny Petitioner's license application for a yacht salesperson's license.

On February 16, 2016, the case was referred to the Division of Administrative Hearings where it was docketed as Case No. 16-0854 and assigned to the Honorable Cathy M. Sellers, Administrative Law Judge (hereinafter the "ALJ").

Pursuant to section 120.57(1), Florida Statutes, a hearing was held on April 27, 2016. Petitioner was represented by Richard F. Della Fera, Esquire, and the Division by Ryan N. Lumbreras, Esquire and Robin E. Smith, Esquire. The ALJ entered a Recommended Order, which is attached and incorporated in this Final Order, recommending that the Division issue a Final Order approving Petitioner's application for a yacht salesperson license. Neither party submitted exceptions. Based upon review of the record, the Division adopts the Recommended Order in total under section 120.57(1)(l), Florida Statutes.

### **FINDINGS OF FACT**

The Division hereby adopts and incorporates by reference the Findings of Fact numbered 1 through 27 as set forth in the Recommended Order.

### **CONCLUSIONS OF LAW**

The Division hereby adopts and incorporates by reference the Conclusions of Law numbered 28 through 39 as set forth in the Recommended Order.

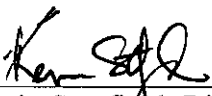
### **ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby **ORDERED** that:

1. The Division adopts the ALJ's Recommended Order; and
2. The Division shall approve Petitioner's application for a yacht salesperson's license.
3. This order shall become effective on the date of the filing with the Department's Agency Clerk.

DONE AND ORDERED this 11<sup>th</sup> day of August, 2016.



  
Kevin Stanfield, Director  
Division of Florida Condominiums,  
Timeshares, and Mobile Homes  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1030

**NOTICE OF RIGHT TO APPEAL**

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY ANY PARTY ADVERSELY AFFECTED PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE BY FILING A NOTICE OF APPEAL CONFORMING TO THE REQUIREMENTS OF RULE 9.110(c), FLORIDA RULES OF APPELLATE PROCEDURE BOTH WITH THE APPROPRIATE DISTRICT COURT OF APPEAL ACCOMPANIED BY APPROPRIATE FILING FEES AND WITH THE AGENCY CLERK, 2601 BLAIR STONE RD, TALLAHASSEE, FLORIDA 32399-2202; [AGC.FILING@MYFLORIDALICENSE.COM](mailto:AGC.FILING@MYFLORIDALICENSE.COM); FAX (850) 488-5761, WITHIN THIRTY (30) DAYS OF THE RENDITION OF THIS FINAL ORDER.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a correct copy of this Final Order has been provided by certified U.S. Mail to Richard F. Della Fera, Esq., Attorney for Petitioner, Entin & Della Fera, P.A., Litigation Building, Suite 500, 633 South Andrews Avenue, Fort Lauderdale, Florida 33301, on this 12<sup>th</sup> day of August, 2016.



AGENCY CLERK'S OFFICE

Copies to:

Ryan N. Lumbreras  
Senior Attorney

Robin E. Smith  
Chief Attorney

ALJ Cathy M. Sellers  
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