

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE COMMISSION**

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	7/9/2018
File #	2018-05486

**FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION,**

Petitioner,

vs.

ALICIA FAITH KING,

Respondent.

DBPR Case Nos.	2016-018731
	2016-018069
DOAH Case Nos.	2017-3961PL
	2017-3989PL

FINAL ORDER

THIS CAUSE came before the FLORIDA REAL ESTATE COMMISSION (“Commission”) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on April 18, 2018, in Orlando, Orange County, Florida, for the purpose of considering the Administrative Law Judge’s Recommended Order in the above-styled cause. A copy of said Recommended Order is attached hereto and incorporated herein as Exhibit “A”.

The Petitioner was represented by Maureen White, Esquire, Senior Attorney for the Division of Real Estate, Orlando, Orange County, Florida. The Respondent was present and was represented by counsel. The Commission was represented by Tom Barnhart of Tallahassee, Leon County, Florida. After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order, the hearing transcript, the Respondent's Exceptions to the Recommended Order, the Petitioner's Response to the Exceptions, and the arguments of each party, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The Administrative Law Judge's findings of fact as set forth in the Exhibit "A" are approved, adopted and incorporated herein by reference. However, there is a scrivener's error in paragraph 84. The correct date is January 13, 2016.
2. There is competent, substantial evidence to support the Administrative Law Judge's findings of fact as adopted by the Commission.

CONCLUSIONS OF LAW

3. The Commission has jurisdiction of this matter pursuant to Sections 120.569 and 120.57(1), Florida Statutes, Chapter 475, Part 1, Florida Statutes, and Chapter 61J2 of the Florida Administrative Code. The Administrative Law Judge's conclusions of law as set forth in Exhibit "A" are approved, adopted and incorporated herein by reference.

EXCEPTIONS

4. For the reasons described in Petitioner's Response to Exception Number One, the Commission denies Respondent's Exception Number One.
5. For the reasons described in Petitioner's Response to Exception Number Two, the Commission denies Respondent's Exception Number Two.
6. For the reasons described in Petitioner's Response to Exception Number Three, the Commission denies Respondent's Exception Number Three.
7. For the reasons described in Petitioner's Response to Exception Number Four, the Commission denies Respondent's Exception Number Four.
8. For the reasons described in Petitioner's Response to Exception Number Five, the Commission denies Respondent's Exception Number Five.
9. For the reasons described in Petitioner's Response to Exception Number Six, the Commission denies Respondent's Exception Number Six.

10. For the reasons described in Petitioner's Response to Exception Number Seven, the Commission denies Respondent's Exception Number Seven.

11. For the reasons described in Petitioner's Response to Exception Number Eight, the Commission denies Respondent's Exception Number Eight.

12. For the reasons described in Petitioner's Response to Exception Number Nine, the Commission grants Respondent's Exception Number Nine, in that the correct date is January 13, 2016.

13. For the reasons described in Petitioner's Response to Exception Number Ten, the Commission denies Respondent's Exception Number Ten.

14. For the reasons described in Petitioner's Response to Exception Number Eleven, the Commission denies Respondent's Exception Number Eleven.

DISPOSITION

15. Upon a complete review of the record, the Commission finds that Respondent, in Case No. 17-3989PL, violated F.S. Sections 475.25(1)(d)1., 475.25(1)(u), 475.25(1)(e) and 475.25(1)(b), and, in Case No. 17-3961PL, Respondent violated F.S. Sections 475.25(1)(u), 475.25(1)(e) and 475.25(1)(b).

WHEREFORE, it is hereby **ORDERED** and **ADJUDGED** that:

1. Respondent's broker licenses are **SUSPENDED** for twelve (12) months beginning 30 days after the filing date of this Final Order;

2. Respondent shall pay a total fine of \$2,000.00 (Two Thousand Dollars) to the Petitioner no later than the end of the **SUSPENSION** period.

3. Respondent shall pay total costs of \$3,234.00 (Three Thousand Two Hundred Thirty-Four Dollars) to the Petitioner no later than the end of the **SUSPENSION** period;

This Order is effective when filed with the Clerk of the Department of Business and Professional Regulation.

DONE and ORDERED this 29 day of June, 2018.

FLORIDA REAL ESTATE COMMISSION


By: Lori Crawford, Executive Director


NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

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 Daniel Villazon, Esquire, 5728 Major Boulevard, Suite 535, Orlando, Florida 32819; Hetal Desai, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; Maureen White, Esquire and Tabitha Herrera, Esquire, 400 W. Robinson Street, Suite 801, North Tower, Orlando, Florida 32801-1757; and to Tom Barnhart, Special Counsel, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, on this 9th day of

July, 2018.


Brandon M. Nibbs