

FILED

MAY 18 2018

Chief Financial Officer
Docketed by: 



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

DOAH Case No.: 17-5131
DFS Case No.: 210787-WC

Petitioner,

vs.

PAYROLL MANAGEMENT, INC.,

Respondent
_____ /

FINAL ORDER

THIS CAUSE came on for final agency action on the request for hearing (“petition”) filed by Payroll Management, Inc. (“PMI”), to dispute the increased qualifying security deposit required by the Department of Financial Services, Division of Workers’ Compensation (“Department”), pursuant to section 440.38(1)(b), Florida Statutes.

FINDINGS OF FACT

1. On May 8, 2017, the Florida Self-Insurers Guaranty Association, Inc. (“FSIGA”), recommended PMI increase its qualifying security deposit from \$5,144,108.00 to \$6,775,263.00 pursuant to section 440.38(1)(b), Florida Statutes, and Rule 69L-5.218(2), *Florida Administrative Code*.
2. On June 1, 2017, the Department accepted FSIGA’s recommendation and issued a letter requiring PMI to increase its qualifying security deposit from \$5,144,108.00 to \$6,775,263.00. The letter included a Notice of Rights providing PMI a clear point of entry into the administrative process.

3. On June 30, 2017, the Department received PMI's timely petition.
4. On December 14, 2017, in case number 2017-CA-002335, the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered a Stipulated Final Judgment Adjudicating Insolvency, which adjudicated PMI insolvent under section 440.386, Florida Statutes.
5. On December 28, 2017, the parties filed a Joint Motion to Relinquish Jurisdiction at the Division of Administrative Hearings. The Administrative Law Judge granted the motion on January 2, 2018.

CONCLUSIONS OF LAW

6. The Stipulated Final Judgment Adjudicating Insolvency entered by the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, in case number 2017-CA-002335, renders this administrative proceeding moot.
7. Accordingly, the Department's file in this matter is CLOSED.

DONE AND ORDERED on this 18 day of May, 2018.




Jimmy Patronis, Chief Financial Officer

NOTICE OF RIGHT TO APPEAL

A party adversely affected by this final order may seek judicial review as provided in section 120.68, Florida Statutes, and Florida Rule of Appellate Procedure 9.190. Judicial review is initiated by filing a notice of appeal with the Agency Clerk, and a copy of the notice of appeal, accompanied by the filing fee, with the appropriate district court of appeal. The notice of appeal must conform to the requirements of Florida Rule of Appellate Procedure 9.110(d), and must be filed (i.e., received by the Agency Clerk) within thirty days of rendition of this final order.

Filing with the Department's Agency Clerk may be accomplished via U.S. Mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Julie Jones, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 2399-0390. The facsimile number is (850) 488-0697. The email address is Julie.Jones@myfloridacfo.com.

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