


FILED

JUL 15 2019

Chief Financial Officer
Docketed by: 



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

Petitioner,

v.

DOAH Case No.: 18-4143
DFS Case No.: 17-280-1A-WC

FUENTES MASONRY, INC.,

Respondent.

FINAL ORDER

THIS CAUSE came before me for final action on Fuentes Masonry, Inc.'s ("Employer"), request for administrative review ("petition") challenging a Stop-Work Order and Order of Penalty Assessment ("Stop-Work Order") and an Amended Order of Penalty Assessment.

FINDINGS OF FACT

1. On July 6, 2017, the Department of Financial Services, Division of Workers' Compensation ("Department"), served Employer a Stop-Work Order.
2. On July 21, 2017, the Department received Employer's petition.
3. On August 1, 2017, the Department and Employer executed an Agreed Order of Conditional Release from Stop-Work Order ("Conditional Release") wherein Employer agreed to pay the Department the penalty assessed against Employer.
4. On January 10, 2018, the Department served Employer an Amended Order of Penalty Assessment. The amended order assessed a total penalty of \$693,319.65.
5. On December 12, 2018, Employer withdrew the petition.

6. On June 13, 2019, the Department reinstated Employer's Stop-Work Order based on Employer's failure to comply with the terms of the Conditional Release.

7. The factual allegations contained in the Stop-Work Order and the Amended Order of Penalty Assessment are adopted as the Department's findings of fact in this case.

CONCLUSIONS OF LAW

8. Based upon the findings of fact adopted herein, the Department concludes Employer violated the specific statutes and rules as alleged in the Stop-Work Order and the Amended Order of Penalty Assessment.

Accordingly:

a. Fuentes Masonry, Inc., shall immediately cease all business operations in the State of Florida; and

b. Employer shall immediately pay the total penalty of \$693,319.65 in full to the Department.

DONE and ORDERED this 15th day of July, 2019.



A handwritten signature in black ink, appearing to read "E. Tanner Hoffoman", written over a horizontal line.

E. Tanner Hoffoman, Director
Division of Workers' Compensation

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 32399-0390. The facsimile number is (850) 488-0697. The email address is Julie.Jones@myfloridacfo.com.

COPIES FURNISHED TO:

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 **MAILED**
7.15.19
J. Johnson